

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93809-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: ARROW RANCHES LLC
550 S 24TH ST W
BILLINGS, MT 59102 6361

Priority Date: JULY 1, 1912

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: THOMPSON CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS NORTH FORK OF THOMPSON CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWSE	30	1N	15W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: THOMPSON DITCH NO. 1						
2		NWNENE	31	1N	15W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: THOMPSON DITCH NO. 2						
3		NWNWSW	32	1N	15W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: THOMPSON DITCH NO. 3						

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		NWSESW	32	1N	15W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	THOMPSON CREEK (STOLTE) DITCH NO. 4				
5		SWNWNE	6	1S	15W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	THOMPSON DITCH NO. 5				
6		NESENW	6	1S	15W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	THOMPSON CREEK (MCVEY-MILLER) DITCH NO. 6				
7		NWSESW	6	1S	15W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	THOMPSON CREEK (BENNET EAST) DITCH NO. 7				
8		NENWNW	7	1S	15W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	THOMPSON CREEK (JENKINS WESTSIDE) DITCH NO. 8				
9		NWSESW	7	1S	15W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	THOMPSON CREEK (JENKINS-MCVEY) DITCH NO. 9				
10		NE	31	1N	15W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
11		W2SWNW	32	1N	15W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
12		SW	32	1N	15W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
13		W2	6	1S	15W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
14		W2NW	7	1S	15W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
15		SW	18	1S	15W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
16		NW	18	1S	15W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
17		E2NESW	18	1S	15W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
18		SESWSE	30	1N	15W	BEAVERHEAD
	Diversion Means:	HEADGATE				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2S2SW	29	1N	15W	BEAVERHEAD
2			S2S2SE	30	1N	15W	BEAVERHEAD
3			E2E2	31	1N	15W	BEAVERHEAD
4			E2NWNE	31	1N	15W	BEAVERHEAD
5			W2E2SW	32	1N	15W	BEAVERHEAD
6			W2W2	32	1N	15W	BEAVERHEAD
7			SW	5	1S	15W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
8			6	1S	15W	BEAVERHEAD
9			7	1S	15W	BEAVERHEAD
10		NW	8	1S	15W	BEAVERHEAD
11		N2NE	18	1S	15W	BEAVERHEAD
12		NW	18	1S	15W	BEAVERHEAD
13		N2SW	18	1S	15W	BEAVERHEAD
14		E2SENE	1	1S	16W	BEAVERHEAD
15		E2E2SE	1	1S	16W	BEAVERHEAD
16		E2SENE	12	1S	16W	BEAVERHEAD
17		E2E2SE	12	1S	16W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

93761-00 93809-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/19/1983: POINT OF DIVERSION, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/14/2001: POINT OF DIVERSION, PLACE OF USE.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 06/19/2006.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

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Water Right Number: 41D 93810-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: ARROW RANCHES LLC
550 S 24TH ST W
BILLINGS, MT 59102 6361

***Priority Date:** OCTOBER 7, 1910

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

CASE NO. 1464, BEAVERHEAD COUNTY, DECREED THIS RIGHT FOR STORED WATER FROM CLAM CREEK, UP TO 300 ACRE-FEET.

***Source Name:** CLAM CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS CLAM VALLEY CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SW	30	1N	15W	BEAVERHEAD

***Period of Diversion:** JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Ditch Name: CLAM VALLEY RESERVOIR DITCH

WATER RELEASED FROM CLAM VALLEY RESERVOIR USES CLAM CREEK AS A NATURAL CARRIER TO CONVEY WATER TO A SECONDARY POINT OF DIVERSION FOR HOUSEMAN DITCH IN THE NWNENW SEC 31 TWP 01N RGE 15W BEAVERHEAD COUNTY.

THE POINT OF DIVERSION INCLUDES 9 SECONDARY POINTS OF DIVERSION ON THOMPSON CREEK.

Reservoir: ONSTREAM Reservoir Name: CLAM VALLEY RESERVOIR

Govt Lot Qtr Sec Sec Twp Rge County
SWSWSW 30 1N 15W BEAVERHEAD
Capacity: 300.00 ACRE-FEET

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

Period of Use: MAY 1 TO OCTOBER 15

Place of Use:

Table with 7 columns: ID, Acres, Govt Lot, Qtr Sec, Sec, Twp, Rge, County. Lists 17 locations in Beaverhead County.

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

93776-00 93810-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/14/2001: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, PRIORITY DATE, TYPE OF HISTORICAL RIGHT.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. THIS RIGHT IS LIMITED TO FLOOD AND SURPLUS WATER, CASE NO. 1464, BEAVERHEAD COUNTY.

THE MAXIMUM STORAGE CAPACITY OF THIS RESERVOIR MAY BE QUESTIONABLE. THE CLAIMED DECREED CAPACITY MAY BE UNREALISTIC.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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Water Right Number: 41D 93811-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: ARROW RANCHES LLC
550 S 24TH ST W
BILLINGS, MT 59102 6361

Priority Date: OCTOBER 7, 1915

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: PLIMPTON CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS SOUTH FORK OF THOMPSON CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWN	NW	3	1S 16W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	PLIMPTON DITCH				
2		S	SE	3	1S 16W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	PARKER DITCH				
3		N	SW	3	1S 16W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	WOODWORTH-DUNBAR DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		NESENE	10	1S	16W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	DUNBAR SOUTHSIDE DITCH				
5		NWNESW	11	1S	16W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
	Ditch Name:	DUNBAR DITCH				
6		SWSWSW	12	1S	16W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
	Ditch Name:	DAVIS-JENKINS DITCH				
7		E2SW	3	1S	16W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
8		S2SE	3	1S	16W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
9		N2NE	10	1S	16W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
10		S2NW	11	1S	16W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
11		SW	11	1S	16W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
12		S2SE	11	1S	16W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
13		S2SWSW	12	1S	16W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
14		N2N2	13	1S	16W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
15		SWNW	18	1S	15W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
16		N2SW	18	1S	15W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1				13	1S	15W	BEAVERHEAD
2			SWNE	18	1S	15W	BEAVERHEAD
3			N2SW	18	1S	15W	BEAVERHEAD
4				19	1S	15W	BEAVERHEAD
5				20	1S	15W	BEAVERHEAD
6			N2NW	29	1S	15W	BEAVERHEAD
7			N2NE	30	1S	15W	BEAVERHEAD
8			E2NENW	30	1S	15W	BEAVERHEAD
9			S2	1	1S	16W	BEAVERHEAD
10			S2	2	1S	16W	BEAVERHEAD
11			SE	3	1S	16W	BEAVERHEAD
12			W2SW	3	1S	16W	BEAVERHEAD
13				11	1S	16W	BEAVERHEAD
14			S2NE	12	1S	16W	BEAVERHEAD
15			SE	12	1S	16W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
16			W2	12	1S	16W	BEAVERHEAD
17			W2NE	14	1S	16W	BEAVERHEAD
18			W2NENW	14	1S	16W	BEAVERHEAD
19			NESE	14	1S	16W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

93775-00 93811-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/14/2001: POINT OF DIVERSION, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/14/2001: POINT OF DIVERSION, PLACE OF USE.

POINT OF DIVERSION AND PLACE OF USE INCLUDES GOVT LOTS IN SEC 13 TWP 01S RGE 16W , BEAVERHEAD COUNTY.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE PRIORITY DATE MAY BE QUESTIONABLE. CASE NO. 2341, BEAVERHEAD COUNTY, DOES NOT SPECIFY A PRIORITY DATE IN THE CONCLUSIONS OF LAW. THE FINDINGS OF FACT CONTAIN TWO DATES.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

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BIG HOLE RIVER
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IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93812-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: ARROW RANCHES LLC
550 S 24TH ST W
BILLINGS, MT 59102 6361

Priority Date: MAY 1, 1907

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: MUSSIGBROD CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	34	1S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: PARKER-MUSSIGBROD DITCH

Period of Use: MAY 1 TO OCTOBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2S2	19	1S	15W	BEAVERHEAD
2				20	1S	15W	BEAVERHEAD
3			N2NW	29	1S	15W	BEAVERHEAD
4			N2NE	30	1S	15W	BEAVERHEAD

Remarks:

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93767-00 93812-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/14/2001: POINT OF DIVERSION, PLACE OF USE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

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Water Right Number: 41D 93813-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: ARROW RANCHES LLC
550 S 24TH ST W
BILLINGS, MT 59102 6361

Priority Date: DECEMBER 31, 1961

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SE	SE	13	1S 16W	BEAVERHEAD
Diversion Means:		HEADGATE					
Ditch Name:		UNNAMED TRIBUTARY DITCH NO. 1					
2		N	N	N	24	1S 16W	BEAVERHEAD
Diversion Means:		HEADGATE					
Ditch Name:		UNNAMED TRIBUTARY DITCH NO. 2					
3		S	E	N	19	1S 16W	BEAVERHEAD
Diversion Means:		HEADGATE					
Ditch Name:		UNNAMED TRIBUTARY DITCH NO. 3					

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		SESESW	19	1S	16W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UNNAMED TRIBUTARY DITCH NO. 4				
5		NENENW	30	1S	16W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UNNAMED TRIBUTARY DITCH NO. 5				
6		SW	13	1S	16W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
7		S2SE	13	1S	16W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
8		N2SENW	14	1S	16W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
9		NESE	14	1S	16W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
10		NENENE	24	1S	16W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
11		W2	19	1S	15W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
12		SWSWNE	19	1S	15W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
13		NWNWSE	19	1S	15W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
14		E2NENW	30	1S	15W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
Period of Use:	MAY 1 TO OCTOBER 15					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2NE	19	1S	15W	BEAVERHEAD
2			SE	19	1S	15W	BEAVERHEAD
3			W2	19	1S	15W	BEAVERHEAD
4				20	1S	15W	BEAVERHEAD
5			E2NESE	24	1S	15W	BEAVERHEAD
6			N2NW	29	1S	15W	BEAVERHEAD
7			N2NE	30	1S	15W	BEAVERHEAD
8			N2NENW	30	1S	15W	BEAVERHEAD
9			S2SE	13	1S	16W	BEAVERHEAD
10			SW	13	1S	16W	BEAVERHEAD
11			N2SENW	14	1S	16W	BEAVERHEAD
12			NESE	14	1S	16W	BEAVERHEAD
13			NENENE	24	1S	16W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/14/2001: SOURCE, TYPE OF HISTORICAL RIGHT, PRIORITY DATE, POINT OF DIVERSION, PLACE OF USE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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Water Right Number: 41D 93814-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: ARROW RANCHES LLC
550 S 24TH ST W
BILLINGS, MT 59102 6361

Priority Date: AUGUST 31, 1910

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: MUSSIGBROD CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	34	1S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: PARKER-MUSSIGBROD DITCH

Period of Use: MAY 1 TO OCTOBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2S2	19	1S	15W	BEAVERHEAD
2				20	1S	15W	BEAVERHEAD
3			N2NW	29	1S	15W	BEAVERHEAD
4			N2NE	30	1S	15W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

93769-00 93814-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/14/2001: POINT OF DIVERSION, PLACE OF USE.

THE DECREED APPROPRIATOR NAME WAS AMENDED BY THE CLAIMANT ON 06/08/2006.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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**TEMPORARY PRELIMINARY DECREE
 BIG HOLE RIVER
 BASIN 41D
 ABSTRACT OF WATER RIGHT CLAIM
 IMPORTANT NOTICE**

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Water Right Number: 41D 93815-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: ARROW RANCHES LLC
 550 S 24TH ST W
 BILLINGS, MT 59102 6361

Priority Date: MAY 1, 1911

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: MUSSIGBROD CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSE	9	1S	16W	BEAVERHEAD

Diversion Means: HEADGATE
Ditch Name: RYAN-MUSSIGBROD DITCH

Period of Use: MAY 1 TO OCTOBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2SW	13	1S	16W	BEAVERHEAD
2			S2	14	1S	16W	BEAVERHEAD
3			N2	24	1S	16W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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Water Right Number: 41D 93816-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: PETER C KAMPERSCHROER
PO BOX 201
WISE RIVER, MT 59762 0201

Priority Date: MAY 5, 1904

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 1.44 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 38.00

***Source Name:** JIMMIE NEW CREEK, WEST FORK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N	EN	SW	26	1N	11W SILVER BOW

Diversion Means: HEADGATE

Period of Use: APRIL 25 TO OCTOBER 9

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	26.00		S	26	1N	11W	SILVER BOW
2	10.00		E	27	1N	11W	SILVER BOW
3	2.00		N	34	1N	11W	SILVER BOW
Total:	38.00						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/11/1991: MAXIMUM ACRES, PLACE OF USE, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/25/01: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE SILVER BOW COUNTY WATER RESOURCES SURVEY (1955) APPEARS TO INDICATE 15.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 879-59 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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Water Right Number: 41D 93817-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: LEONARD GARRISON
GARRISON PACIFIC PROPERTIES
1050 NORTHGATE DR STE 285
SAN RAFAEL, CA 94903 2540

TIMOTHY J KEPFORD
% TRUSTEE OF KEPFORD TRUST
7221 RIDGE RD
HARBOR SPRINGS, MI 49740 8934

Priority Date: SEPTEMBER 30, 1918

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 1.70 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 45.00

***Source Name:** JERRY CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESEW	36	1N	11W	SILVER BOW
Diversion Means:		HEADGATE				
Ditch Name:		LAWRENCE DITCH				
2		NWSE	36	1N	11W	SILVER BOW
Diversion Means:		HEADGATE				
Ditch Name:		LAWRENCE DITCH				
Period of Use:		APRIL 1 TO OCTOBER 4				

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	4.00		NWSE	36	1N	11W	SILVER BOW
2	41.00		E2SW	36	1N	11W	SILVER BOW
Total:	45.00						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/07/1998: TYPE OF IRRIGATION, PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

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Water Right Number: 41D 93818-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: J W CONNOLLY
138 CYPRESS KNOLL RD
SEWICKLEY, PA 15143

SHIRLEY B CONNOLLY
138 CYPRESS KNOLL RD
SEWICKLEY, PA 15143 9375

Priority Date: MAY 1, 1887

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** WISE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	34	1N	11W	BEAVERHEAD
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2		SWNWSE	34	1N	11W	BEAVERHEAD
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3		NWNW	3	1S	11W	BEAVERHEAD
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		E2SWNW	3	1S	11W	BEAVERHEAD
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
5		E2SENE	4	1S	11W	BEAVERHEAD
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
6		E2SE	4	1S	11W	BEAVERHEAD
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
7		E2NE	9	1S	11W	BEAVERHEAD
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
8		W2NW	16	1S	11W	BEAVERHEAD
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
9		S2NE	17	1S	11W	BEAVERHEAD
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
10		N2NWSE	17	1S	11W	BEAVERHEAD
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
11		N2NWNE	19	1S	11W	BEAVERHEAD
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NE	34	1N	11W	BEAVERHEAD
2			SWNWSE	34	1N	11W	BEAVERHEAD
3			NWNW	3	1S	11W	BEAVERHEAD
4			E2SWNW	3	1S	11W	BEAVERHEAD
5			E2SENE	4	1S	11W	BEAVERHEAD
6			E2SE	4	1S	11W	BEAVERHEAD
7			E2NE	9	1S	11W	BEAVERHEAD
8			W2NW	16	1S	11W	BEAVERHEAD
9			S2NE	17	1S	11W	BEAVERHEAD
10			N2NWSE	17	1S	11W	BEAVERHEAD
11			N2NWNE	19	1S	11W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93819-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: PETER C KAMPERSCHROER
PO BOX 201
WISE RIVER, MT 59762 0201

Priority Date: MAY 1, 1887

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2SE	26		1N	11W	BEAVERHEAD
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						
2		S2SW	26		1N	11W	BEAVERHEAD
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						
3		N2NENE	34		1N	11W	BEAVERHEAD
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						
4		NENE	35		1N	11W	BEAVERHEAD
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						
5		NWNWNW	35		1N	11W	BEAVERHEAD
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
6		W2NW	36	1N	11W	BEAVERHEAD
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
7		W2SW	36	1N	11W	BEAVERHEAD
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
Period of Use: JANUARY 1 TO DECEMBER 31						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2SE	26	1N	11W	BEAVERHEAD
2			S2SW	26	1N	11W	BEAVERHEAD
3			N2NENE	34	1N	11W	BEAVERHEAD
4			NENE	35	1N	11W	BEAVERHEAD
5			NWNWNW	35	1N	11W	BEAVERHEAD
6			W2NW	36	1N	11W	BEAVERHEAD
7			W2SW	36	1N	11W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93820-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: PETER C KAMPERSCHROER
PO BOX 201
WISE RIVER, MT 59762 0201

Priority Date: MAY 1, 1889

THIS RIGHT, DECREED IN CASE 2627, BEAVERHEAD COUNTY, PRECEDES THE RIGHTS DECREED IN CASE 4100, REGARDLESS OF PRIORITY. THOSE WATER RIGHTS FROM CASE 4100 ARE: 4208-00, 27450-00, 27451-00, 27452-00, 49586-00, 49587-00, 49588-00, 49589-00, 92701-00, 93437-00, 93438-00, 93439-00, 93440-00, 93441-00, 93442-00, 93443-00, 93444-00, 93445-00, 93826-00, 93827-00, 93828-00, 93829-00, 93830-00, 93831-00, 93832-00, 93833-00, 93834-00, 93835-00, 93836-00, 110677-00, 118188-00, 118189-00, 182351-00, 182352-00, 182353-00, 195272-00.

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 5.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 470.00

Source Name: WISE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENENE	9	1S	11W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: APRIL 25 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	5.00		S2S2SE	26	1N	11W	BEAVERHEAD
2	14.00		SENE	34	1N	11W	BEAVERHEAD
3	8.00		N2NESE	34	1N	11W	BEAVERHEAD
4	257.00		E2	35	1N	11W	BEAVERHEAD
5	96.00		NW	35	1N	11W	BEAVERHEAD
6	22.00		N2SW	35	1N	11W	BEAVERHEAD
7	26.00		SWNW	36	1N	11W	BEAVERHEAD
8	42.00		W2SW	36	1N	11W	BEAVERHEAD
Total:	470.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

93820-00 93821-00 93822-00 93823-00 93826-00 93828-00 93829-00
93830-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/11/1991: PERIOD OF USE, MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/25/01: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93821-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: PETER C KAMPERSCHROER
PO BOX 201
WISE RIVER, MT 59762 0201

Priority Date: MAY 1, 1905

THIS RIGHT, DECREED IN CASE 2627, BEAVERHEAD COUNTY, PRECEDES THE RIGHTS DECREED IN CASE 4100, REGARDLESS OF PRIORITY. THOSE WATER RIGHTS FROM CASE 4100 ARE: 4208-00, 27450-00, 27451-00, 27452-00, 49586-00, 49587-00, 49588-00, 49589-00, 92701-00, 93437-00, 93438-00, 93439-00, 93440-00, 93441-00, 93442-00, 93443-00, 93444-00, 93445-00, 93826-00, 93827-00, 93828-00, 93829-00, 93830-00, 93831-00, 93832-00, 93833-00, 93834-00, 93835-00, 93836-00, 110677-00, 118188-00, 118189-00, 182351-00, 182352-00, 182353-00, 195272-00.

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 178.00

***Source Name:** UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWN	NW 35	1N	11W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: APRIL 15 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	5.00		S2S2SE	26	1N	11W	BEAVERHEAD
2	99.00		NE	35	1N	11W	BEAVERHEAD
3	3.00		NENENW	35	1N	11W	BEAVERHEAD
4	3.00		E2E2SE	35	1N	11W	BEAVERHEAD
5	26.00		SWNW	36	1N	11W	BEAVERHEAD
6	42.00		W2SW	36	1N	11W	BEAVERHEAD
Total:	178.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

93820-00 93821-00 93822-00 93823-00 93826-00 93828-00 93829-00
93830-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/11/1991: MAXIMUM ACRES, PLACE OF USE, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/25/01: PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93822-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

GRIFFIN ALLEN
7015 WENSLEY WAY
JACKSONVILLE, FL 32217 2674

LOVELL FAMILY TRUST
FRED & NANCY LOVELL, TRUSTEES
2912 VIA RIVERA
PALOS VERDES PENINSULA, CA 90274 2831

Priority Date: MAY 1, 1890

THIS RIGHT, DECREED IN CASE 2627, BEAVERHEAD COUNTY, PRECEDES THE RIGHTS DECREED IN CASE 4100, REGARDLESS OF PRIORITY. THOSE WATER RIGHTS FROM CASE 4100 ARE: 4208-00, 27450-00, 27451-00, 27452-00, 49586-00, 49587-00, 49588-00, 49589-00, 92701-00, 93437-00, 93438-00, 93439-00, 93440-00, 93441-00, 93442-00, 93443-00, 93444-00, 93445-00, 93826-00, 93827-00, 93828-00, 93829-00, 93830-00, 93831-00, 93832-00, 93833-00, 93834-00, 93835-00, 93836-00, 110677-00, 118188-00, 118189-00, 182351-00, 182352-00, 182353-00, 195272-00.

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 90.00

Source Name: SWAMP CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENE	9	1S	11W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: APRIL 15 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		SW	3	1S	11W	BEAVERHEAD
2	30.00		E2SE	4	1S	11W	BEAVERHEAD
3	10.00		E2NE	9	1S	11W	BEAVERHEAD
4	10.00		W2W2NW	10	1S	11W	BEAVERHEAD
Total:	90.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

93820-00 93821-00 93822-00 93823-00 93826-00 93828-00 93829-00
 93830-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/11/1991: MAXIMUM ACRES, PLACE OF USE, PERIOD OF USE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93823-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

GRIFFIN ALLEN
7015 WENSLEY WAY
JACKSONVILLE, FL 32217 2674

LOVELL FAMILY TRUST
FRED & NANCY LOVELL, TRUSTEES
2912 VIA RIVERA
PALOS VERDES PENINSULA, CA 90274 2831

Priority Date: MAY 1, 1908

THIS RIGHT, DECREED IN CASE 2627, BEAVERHEAD COUNTY, PRECEDES THE RIGHTS DECREED IN CASE 4100, REGARDLESS OF PRIORITY. THOSE WATER RIGHTS FROM CASE 4100 ARE: 4208-00, 27450-00, 27451-00, 27452-00, 49586-00, 49587-00, 49588-00, 49589-00, 92701-00, 93437-00, 93438-00, 93439-00, 93440-00, 93441-00, 93442-00, 93443-00, 93444-00, 93445-00, 93826-00, 93827-00, 93828-00, 93829-00, 93830-00, 93831-00, 93832-00, 93833-00, 93834-00, 93835-00, 93836-00, 110677-00, 118188-00, 118189-00, 182351-00, 182352-00, 182353-00, 195272-00.

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 320.00

Source Name: SWAMP CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENE	9	1S	11W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: APRIL 15 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		S2NE	3	1S	11W	BEAVERHEAD
2	75.00		S2NW	3	1S	11W	BEAVERHEAD
3	10.00		NWSE	3	1S	11W	BEAVERHEAD
4	40.00		SW	3	1S	11W	BEAVERHEAD
5	6.00	1	NENE	3	1S	11W	BEAVERHEAD
6	25.00	2	NWNE	3	1S	11W	BEAVERHEAD
7	25.00	3	NENW	3	1S	11W	BEAVERHEAD
8	10.00	4	NWNW	3	1S	11W	BEAVERHEAD
9	15.00	5	NESW	3	1S	11W	BEAVERHEAD
10	10.00	6	NWSW	3	1S	11W	BEAVERHEAD
11	5.00		E2SENE	4	1S	11W	BEAVERHEAD
12	29.00		E2SE	4	1S	11W	BEAVERHEAD
13	5.00	1	NENE	4	1S	11W	BEAVERHEAD
14	5.00	5	NESE	4	1S	11W	BEAVERHEAD
15	10.00		E2NE	9	1S	11W	BEAVERHEAD
16	10.00		W2W2NW	10	1S	11W	BEAVERHEAD

Total: 320.00

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

93820-00 93821-00 93822-00 93823-00 93826-00 93828-00 93829-00
93830-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/11/1991: SOURCE, MAXIMUM ACRES, PLACE OF USE, PERIOD OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 879-136 , DATED 09/18/1979 , APPEARS TO INDICATE 190.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-4P-118 , DATED 07/19/1955 , APPEARS TO INDICATE 187.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE CLAIMED SOURCE MAY BE QUESTIONABLE. THE SOURCE DESCRIBED IN CASE NO. 2627 , BEAVERHEAD COUNTY, IS INCONSISTENT WITH THE SOURCE AT THE CLAIMED POINT OF DIVERSION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93824-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

GRIFFIN ALLEN
7015 WENSLEY WAY
JACKSONVILLE, FL 32217 2674

LOVELL FAMILY TRUST
FRED & NANCY LOVELL, TRUSTEES
2912 VIA RIVERA
PALOS VERDES PENINSULA, CA 90274 2831

PETER C KAMPERSCHROER
PO BOX 201
WISE RIVER, MT 59762 0201

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: MAY 1, 1907

THIS RIGHT, DECREED IN CASE 2627, BEAVERHEAD COUNTY, PRECEDES THE RIGHTS DECREED IN CASE 4100, REGARDLESS OF PRIORITY. THOSE WATER RIGHTS FROM CASE 4100 ARE: 4208-00, 27450-00, 27451-00, 27452-00, 49586-00, 49587-00, 49588-00, 49589-00, 92701-00, 93437-00, 93438-00, 93439-00, 93440-00, 93441-00, 93442-00, 93443-00, 93444-00, 93445-00, 93826-00, 93827-00, 93828-00, 93829-00, 93830-00, 93831-00, 93832-00, 93833-00, 93834-00, 93835-00, 93836-00, 110677-00, 118188-00, 118189-00, 182351-00, 182352-00, 182353-00, 195272-00.

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 61.00
Source Name: WISE RIVER
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWN	WNW	3	1S	11W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: APRIL 15 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.00		S2N	NENE	34	1N	11W	BEAVERHEAD
2	37.00			SENE	34	1N	11W	BEAVERHEAD
3	7.00		E2S	SWNE	34	1N	11W	BEAVERHEAD
4	12.00		N2N	ESE	34	1N	11W	BEAVERHEAD
5	4.00		NEN	WSE	34	1N	11W	BEAVERHEAD
Total:	61.00							

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

182379-00 93824-00 93825-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/12/1991: MAXIMUM ACRES, PLACE OF USE, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/25/2001: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/27/1998: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 100 MINER'S INCHES DECREED IN CASE NO. 2627 , BEAVERHEAD COUNTY. 1080-00, 27459-00, 93824-00.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 18.00 GPM PER ACRE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93825-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

GRIFFIN ALLEN
7015 WENSLEY WAY
JACKSONVILLE, FL 32217 2674

LOVELL FAMILY TRUST
FRED & NANCY LOVELL, TRUSTEES
2912 VIA RIVERA
PALOS VERDES PENINSULA, CA 90274 2831

PETER C KAMPERSCHROER
PO BOX 201
WISE RIVER, MT 59762 0201

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: MAY 1, 1904

THIS RIGHT, DECREED IN CASE 2627, BEAVERHEAD COUNTY, PRECEDES THE RIGHTS DECREED IN CASE 4100, REGARDLESS OF PRIORITY. THOSE WATER RIGHTS FROM CASE 4100 ARE: 4208-00, 27450-00, 27451-00, 27452-00, 49586-00, 49587-00, 49588-00, 49589-00, 92701-00, 93437-00, 93438-00, 93439-00, 93440-00, 93441-00, 93442-00, 93443-00, 93444-00, 93445-00, 93826-00, 93827-00, 93828-00, 93829-00, 93830-00, 93831-00, 93832-00, 93833-00, 93834-00, 93835-00, 93836-00, 110677-00, 118188-00, 118189-00, 182351-00, 182352-00, 182353-00, 195272-00.

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 579.00
Source Name: WISE RIVER
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSENE	9	1S	11W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: APRIL 15 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	22.00		S2S2S2	26	1N	11W	BEAVERHEAD
2	16.00		E2NE	34	1N	11W	BEAVERHEAD
3	16.00		N2SE	34	1N	11W	BEAVERHEAD
4	445.00			35	1N	11W	BEAVERHEAD
5	2.00		SWSESW	36	1N	11W	BEAVERHEAD
6	77.00		W2W2	36	1N	11W	BEAVERHEAD
7	1.00		NWNWNW	1	1S	11W	BEAVERHEAD
Total:	579.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

182379-00 93824-00 93825-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/12/1991: MAXIMUM ACRES, PLACE OF USE, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/25/2001: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 80 MINER'S INCHES DECREED IN CASE NO. 2627 , BEAVERHEAD COUNTY. 92891-00, 93825-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93826-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: PETER C KAMPERSCHROER
PO BOX 201
WISE RIVER, MT 59762 0201

Priority Date: MAY 1, 1887

THIS RIGHT, PURSUANT TO CASE 4100, BEAVERHEAD COUNTY, IS SUBSEQUENT TO THE RIGHTS DECREED IN CASE 2627, REGARDLESS OF PRIORITY DATE. THOSE WATER RIGHTS FROM CASE 2627 ARE: 1080-00, 27459-00, 27460-00, 41591-00, 41592-00, 92794-00, 92891-00, 93193-00, 93194-00, 93195-00, 93820-00, 93821-00, 93822-00, 93823-00, 93824-00, 93825-00, 182379-00.

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 3.75 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 252.00

Source Name: UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER
ALSO KNOWN AS JIMMIE KNEW SLOUGH OR SPRING CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENE	34	1N	11W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: DODGSON DITCH NO. 3

Period of Use: APRIL 1 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	8.00		S2SWSE	26		1N	11W	BEAVERHEAD
2	14.00		S2SESW	26		1N	11W	BEAVERHEAD
3	7.00		NENE	34		1N	11W	BEAVERHEAD
4	105.00		NE	35		1N	11W	BEAVERHEAD
5	48.00		N2NW	35		1N	11W	BEAVERHEAD
6	1.00		E2E2SE	35		1N	11W	BEAVERHEAD
7	27.00		SWNW	36		1N	11W	BEAVERHEAD
8	42.00		W2SW	36		1N	11W	BEAVERHEAD
Total:	252.00							

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

93820-00 93821-00 93822-00 93823-00 93826-00 93828-00 93829-00
93830-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/11/1991: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/25/01: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 879-59 , DATED 09/18/1979 , APPEARS TO INDICATE 275.25 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDI AERIAL PHOTOGRAPH NO. 4P-118 , DATED 07/19/1955 , APPEARS TO INDICATE 262.75 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93827-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: J W CONNOLLY
138 CYPRESS KNOLL RD
SEWICKLEY, PA 15143

SHIRLEY B CONNOLLY
138 CYPRESS KNOLL RD
SEWICKLEY, PA 15143 9375

Priority Date: MAY 1, 1890

THIS RIGHT, PURSUANT TO CASE 4100, BEAVERHEAD COUNTY, IS SUBSEQUENT TO THE RIGHTS DECREED IN CASE 2627, REGARDLESS OF PRIORITY DATE. THOSE WATER RIGHTS FROM CASE 2627 ARE: 1080-00, 27459-00, 27460-00, 41591-00, 41592-00, 92794-00, 92891-00, 93193-00, 93194-00, 93195-00, 93820-00, 93821-00, 93822-00, 93823-00, 93824-00, 93825-00, 182379-00.

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 224.00

Source Name: ADSON CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESENE	19	1S	11W	BEAVERHEAD

Diversion Means: HEADGATE

EDISON CREEK IS USED AS A NATURAL CARRIER TO CONVEY WATER FROM TO THE POINT OF DIVERSION.

Period of Use: APRIL 1 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	4.00		W2SWNW	16	1S	11W	BEAVERHEAD
2	4.00		SESENE	17	1S	11W	BEAVERHEAD
3	68.00		SE	17	1S	11W	BEAVERHEAD
4	38.00		S2SW	17	1S	11W	BEAVERHEAD
5	49.00		NE	19	1S	11W	BEAVERHEAD
6	3.00		N2NESE	19	1S	11W	BEAVERHEAD
7	2.00		NWNWNE	20	1S	11W	BEAVERHEAD
8	56.00		NW	20	1S	11W	BEAVERHEAD
Total:	224.00						

THE PLACE OF USE IS LOCATED IN HOMESTEAD ENTRY SURVEY NO.491.

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

93827-00 93832-00 93834-00 93835-00 93836-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/15/2000: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93828-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: PETER C KAMPERSCHROER
PO BOX 201
WISE RIVER, MT 59762 0201

Priority Date: AUGUST 30, 1890

THIS RIGHT, PURSUANT TO CASE 4100, BEAVERHEAD COUNTY, IS SUBSEQUENT TO THE RIGHTS DECREED IN CASE 2627, REGARDLESS OF PRIORITY DATE. THOSE WATER RIGHTS FROM CASE 2627 ARE: 1080-00, 27459-00, 27460-00, 41591-00, 41592-00, 92794-00, 92891-00, 93193-00, 93194-00, 93195-00, 93820-00, 93821-00, 93822-00, 93823-00, 93824-00, 93825-00, 182379-00.

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 9.88 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 470.00

Source Name: WISE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S	9	1S	11W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: APRIL 15 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	5.00		S2S2SE	26	1N	11W	BEAVERHEAD
2	14.00		SENE	34	1N	11W	BEAVERHEAD
3	8.00		N2NESE	34	1N	11W	BEAVERHEAD
4	257.00		E2	35	1N	11W	BEAVERHEAD
5	96.00		NW	35	1N	11W	BEAVERHEAD
6	22.00		N2SW	35	1N	11W	BEAVERHEAD
7	26.00		SWNW	36	1N	11W	BEAVERHEAD
8	42.00		W2SW	36	1N	11W	BEAVERHEAD
Total:	470.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

93820-00 93821-00 93822-00 93823-00 93826-00 93828-00 93829-00
93830-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/11/1991: MAXIMUM ACRES, PLACE OF USE, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/25/01: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 400 MINER'S INCHES DECREED IN CASE NO. 4101 , BEAVERHEAD COUNTY. 27450-00, 27451-00, 93828-00, 10677-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93829-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: PETER C KAMPERSCHROER
PO BOX 201
WISE RIVER, MT 59762 0201

Priority Date: AUGUST 30, 1890

THIS RIGHT, PURSUANT TO CASE 4100, BEAVERHEAD COUNTY, IS SUBSEQUENT TO THE RIGHTS DECREED IN CASE 2627, REGARDLESS OF PRIORITY DATE. THOSE WATER RIGHTS FROM CASE 2627 ARE: 1080-00, 27459-00, 27460-00, 41591-00, 41592-00, 92794-00, 92891-00, 93193-00, 93194-00, 93195-00, 93820-00, 93821-00, 93822-00, 93823-00, 93824-00, 93825-00, 182379-00.

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.25 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 252.00

***Source Name:** WISE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	34	1N	11W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: DODGSON DITCH NO. 2

Period of Use: APRIL 15 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	8.00		S2SWSE	26	1N	11W	BEAVERHEAD
2	14.00		S2SESW	26	1N	11W	BEAVERHEAD
3	7.00		NENE	34	1N	11W	BEAVERHEAD
4	105.00		NE	35	1N	11W	BEAVERHEAD
5	48.00		N2NW	35	1N	11W	BEAVERHEAD
6	1.00		E2E2SE	35	1N	11W	BEAVERHEAD
7	27.00		SWNW	36	1N	11W	BEAVERHEAD
8	42.00		W2SW	36	1N	11W	BEAVERHEAD
Total:	252.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

93820-00 93821-00 93822-00 93823-00 93826-00 93828-00 93829-00
 93830-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/11/1991: MAXIMUM ACRES, PLACE OF USE, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/25/01: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

AERIAL PHOTOGRAPH NO(S). CXM 4P-118 , DATED 07/19/1955 , APPEARS TO INDICATE 143.75 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93830-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: PETER C KAMPERSCHROER
PO BOX 201
WISE RIVER, MT 59762 0201

Priority Date: MAY 1, 1894

THIS RIGHT, PURSUANT TO CASE 4100, BEAVERHEAD COUNTY, IS SUBSEQUENT TO THE RIGHTS DECREED IN CASE 2627, REGARDLESS OF PRIORITY DATE. THOSE WATER RIGHTS FROM CASE 2627 ARE: 1080-00, 27459-00, 27460-00, 41591-00, 41592-00, 92794-00, 92891-00, 93193-00, 93194-00, 93195-00, 93820-00, 93821-00, 93822-00, 93823-00, 93824-00, 93825-00, 182379-00.

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 252.00

Source Name: WISE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	34	1N	11W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: DODGSON DITCH NO. 1

***Period of Use:** APRIL 15 TO OCTOBER 4

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	27.00		SWNW	26	1N	11W	BEAVERHEAD
2	8.00		S2SWSE	26	1N	11W	BEAVERHEAD
3	14.00		S2SESW	26	1N	11W	BEAVERHEAD
4	7.00		NENE	34	1N	11W	BEAVERHEAD
5	105.00		NE	35	1N	11W	BEAVERHEAD
6	48.00		N2NW	35	1N	11W	BEAVERHEAD
7	1.00		E2E2SE	35	1N	11W	BEAVERHEAD
8	42.00		W2SW	36	1N	11W	BEAVERHEAD
Total:	252.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

93820-00 93821-00 93822-00 93823-00 93826-00 93828-00 93829-00
93830-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/11/1991: MAXIMUM ACRES, PLACE OF USE, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/25/01: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93831-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: J W CONNOLLY
138 CYPRESS KNOLL RD
SEWICKLEY, PA 15143

SHIRLEY B CONNOLLY
138 CYPRESS KNOLL RD
SEWICKLEY, PA 15143 9375

Priority Date: DECEMBER 14, 1903

THIS RIGHT, PURSUANT TO CASE 4100, BEAVERHEAD COUNTY, IS SUBSEQUENT TO THE RIGHTS DECREED IN CASE 2627, REGARDLESS OF PRIORITY DATE. THOSE WATER RIGHTS FROM CASE 2627 ARE: 1080-00, 27459-00, 27460-00, 41591-00, 41592-00, 92794-00, 92891-00, 93193-00, 93194-00, 93195-00, 93820-00, 93821-00, 93822-00, 93823-00, 93824-00, 93825-00, 182379-00.

Type of Historical Right: DECREED

***Purpose(use):** IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 224.40 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 63.00

Source Name: DENO CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNE	19	1S	11W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: HJELMSTAD DITCH

Period of Use: APRIL 1 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	54.00		SE	18	1S	11W	BEAVERHEAD
2	4.00		W2W2	18	1S	11W	BEAVERHEAD
3	5.00		NENWNE	19	1S	11W	BEAVERHEAD
Total:	63.00						

THE PLACE OF USE IS LOCATED IN HOMESTEAD ENTRY SURVEY NO. 112.

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

93831-00 93833-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/16/1994: FLOW RATE, MAXIMUM ACRES, PLACE OF USE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93832-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: J W CONNOLLY
138 CYPRESS KNOLL RD
SEWICKLEY, PA 15143

SHIRLEY B CONNOLLY
138 CYPRESS KNOLL RD
SEWICKLEY, PA 15143 9375

Priority Date: MAY 1, 1904

THIS RIGHT, PURSUANT TO CASE 4100, BEAVERHEAD COUNTY, IS SUBSEQUENT TO THE RIGHTS DECREED IN CASE 2627, REGARDLESS OF PRIORITY DATE. THOSE WATER RIGHTS FROM CASE 2627 ARE: 1080-00, 27459-00, 27460-00, 41591-00, 41592-00, 92794-00, 92891-00, 93193-00, 93194-00, 93195-00, 93820-00, 93821-00, 93822-00, 93823-00, 93824-00, 93825-00, 182379-00.

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.35 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 369.00

***Source Name:** WISE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNE	19	1S	11W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: TRUEMAN DITCH						
2		SWSWNW	30	1S	11W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: HJELMSTAD DITCH						
Period of Use: APRIL 1 TO OCTOBER 4						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	4.00		W2SWNW	16	1S	11W	BEAVERHEAD
2	2.00		SWNENE	17	1S	11W	BEAVERHEAD
3	4.00		SESENE	17	1S	11W	BEAVERHEAD
4	40.00		W2NE	17	1S	11W	BEAVERHEAD
5	24.00		SENW	17	1S	11W	BEAVERHEAD
6	68.00		SE	17	1S	11W	BEAVERHEAD
7	2.00		NWNWSE	17	1S	11W	BEAVERHEAD
8	4.00		N2SESE	17	1S	11W	BEAVERHEAD
9	69.00		N2SW	17	1S	11W	BEAVERHEAD
10	38.00		S2SW	17	1S	11W	BEAVERHEAD
11	4.00		E2E2SE	18	1S	11W	BEAVERHEAD
12	49.00		NE	19	1S	11W	BEAVERHEAD
13	3.00		N2NESE	19	1S	11W	BEAVERHEAD
14	2.00		NWNWNE	20	1S	11W	BEAVERHEAD
15	56.00		NW	20	1S	11W	BEAVERHEAD
Total:	369.00						

THE PLACE OF USE IS LOCATED IN HOMESTEAD ENTRY SURVEY NO. 491, 122, 515, 219.

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

93827-00 93832-00 93834-00 93835-00 93836-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/11/1997: FLOW RATE, VOLUME.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/15/2000: PLACE OF USE, MAXIMUM ACRES.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 07/21/1998.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93833-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: J W CONNOLLY
138 CYPRESS KNOLL RD
SEWICKLEY, PA 15143

SHIRLEY B CONNOLLY
138 CYPRESS KNOLL RD
SEWICKLEY, PA 15143 9375

Priority Date: SEPTEMBER 28, 1905

THIS RIGHT, PURSUANT TO CASE 4100, BEAVERHEAD COUNTY, IS SUBSEQUENT TO THE RIGHTS DECREED IN CASE 2627, REGARDLESS OF PRIORITY DATE. THOSE WATER RIGHTS FROM CASE 2627 ARE: 1080-00, 27459-00, 27460-00, 41591-00, 41592-00, 92794-00, 92891-00, 93193-00, 93194-00, 93195-00, 93820-00, 93821-00, 93822-00, 93823-00, 93824-00, 93825-00, 182379-00.

Type of Historical Right: DECREED

***Purpose(use):** IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.63 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 63.00

Source Name: WISE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSW	19	1S	11W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: HJELMSTAD DITCH

Period of Use: APRIL 1 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	4.00		W2W2SW	17	1S	11W	BEAVERHEAD
2	54.00			SE 18	1S	11W	BEAVERHEAD
3	5.00		NENWNE	19	1S	11W	BEAVERHEAD

Total: 63.00

THE PLACE OF USE IS LOCATED IN HOMESTEAD ENTRY SURVEY NO. 112.

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

93831-00 93833-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/16/1994: FLOW RATE, MAXIMUM ACRES, PLACE OF USE.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 11/15/2000.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 19.00 GPM PER ACRE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93834-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: J W CONNOLLY
138 CYPRESS KNOLL RD
SEWICKLEY, PA 15143

SHIRLEY B CONNOLLY
138 CYPRESS KNOLL RD
SEWICKLEY, PA 15143 9375

Priority Date: MAY 1, 1915

THIS RIGHT, PURSUANT TO CASE 4100, BEAVERHEAD COUNTY, IS SUBSEQUENT TO THE RIGHTS DECREED IN CASE 2627, REGARDLESS OF PRIORITY DATE. THOSE WATER RIGHTS FROM CASE 2627 ARE: 1080-00, 27459-00, 27460-00, 41591-00, 41592-00, 92794-00, 92891-00, 93193-00, 93194-00, 93195-00, 93820-00, 93821-00, 93822-00, 93823-00, 93824-00, 93825-00, 182379-00.

Type of Historical Right: DECREED

***Purpose(use):** IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 4.05 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 369.00

Source Name: WISE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	19	1S	11W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		TRUEMAN DITCH				
2		SW	30	1S	11W	BEAVERHEAD
Diversion Means:		HEADGATE				
Period of Use:		APRIL 1 TO OCTOBER 4				

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	4.00		W2	16	1S	11W	BEAVERHEAD
2	2.00		SW	17	1S	11W	BEAVERHEAD
3	4.00		SE	17	1S	11W	BEAVERHEAD
4	40.00		W2	17	1S	11W	BEAVERHEAD
5	24.00		SE	17	1S	11W	BEAVERHEAD
6	68.00			17	1S	11W	BEAVERHEAD
7	2.00		NW	17	1S	11W	BEAVERHEAD
8	4.00		N2	17	1S	11W	BEAVERHEAD
9	69.00		N2	17	1S	11W	BEAVERHEAD
10	38.00		S2	17	1S	11W	BEAVERHEAD
11	4.00		E2	18	1S	11W	BEAVERHEAD
12	49.00			19	1S	11W	BEAVERHEAD
13	3.00		N2	19	1S	11W	BEAVERHEAD
14	2.00		NW	20	1S	11W	BEAVERHEAD
15	56.00			20	1S	11W	BEAVERHEAD
Total:	369.00						

THE PLACE OF USE IS LOCATED IN HOMESTEAD ENTRY SURVEY NO. 122, 515, 219.

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

93827-00 93832-00 93834-00 93835-00 93836-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/11/1997: FLOW RATE, VOLUME.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/15/2000: PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93835-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: J W CONNOLLY
138 CYPRESS KNOLL RD
SEWICKLEY, PA 15143

SHIRLEY B CONNOLLY
138 CYPRESS KNOLL RD
SEWICKLEY, PA 15143 9375

***Priority Date:** MAY 1, 1895

THIS RIGHT, PURSUANT TO CASE 4100, BEAVERHEAD COUNTY, IS SUBSEQUENT TO THE RIGHTS DECREED IN CASE 2627, REGARDLESS OF PRIORITY DATE. THOSE WATER RIGHTS FROM CASE 2627 ARE: 1080-00, 27459-00, 27460-00, 41591-00, 41592-00, 92794-00, 92891-00, 93193-00, 93194-00, 93195-00, 93820-00, 93821-00, 93822-00, 93823-00, 93824-00, 93825-00, 182379-00.

Type of Historical Right: DECREED

***Purpose(use):** IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 3.75 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 369.00

Source Name: WISE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWNE	19	1S	11W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: TRUEMAN DITCH						
2		SWSWNW	30	1S	11W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: HJELMSTAD DITCH						

Period of Use:

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	4.00		W2SWNW	16	1S	11W	BEAVERHEAD
2	2.00		SWNENE	17	1S	11W	BEAVERHEAD
3	4.00		SESENE	17	1S	11W	BEAVERHEAD
4	40.00		W2NE	17	1S	11W	BEAVERHEAD
5	24.00		SENE	17	1S	11W	BEAVERHEAD
6	68.00		SE	17	1S	11W	BEAVERHEAD
7	2.00		NWNWSE	17	1S	11W	BEAVERHEAD
8	4.00		N2SESE	17	1S	11W	BEAVERHEAD
9	69.00		N2SW	17	1S	11W	BEAVERHEAD
10	38.00		S2SW	17	1S	11W	BEAVERHEAD
11	4.00		E2E2SE	18	1S	11W	BEAVERHEAD
12	49.00		NE	19	1S	11W	BEAVERHEAD
13	3.00		N2NESE	19	1S	11W	BEAVERHEAD
14	2.00		NWNWNE	20	1S	11W	BEAVERHEAD
15	56.00		NW	20	1S	11W	BEAVERHEAD
Total:	369.00						

THE PLACE OF USE IS LOCATED IN HOMESTEAD ENTRY SURVEY NO. 491, 122, 515, 219.

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

93827-00 93832-00 93834-00 93835-00 93836-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/15/2000: PLACE OF USE, MAXIMUM ACRES.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 7/21/1998.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

NO PERIOD OF USE HAS BEEN CLAIMED. THE USUAL AND REASONABLE PERIOD OF USE IN THIS AREA IS APRIL 25 TO OCTOBER 5.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93836-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: J W CONNOLLY
138 CYPRESS KNOLL RD
SEWICKLEY, PA 15143

SHIRLEY B CONNOLLY
138 CYPRESS KNOLL RD
SEWICKLEY, PA 15143 9375

Priority Date: APRIL 17, 1905

THIS RIGHT, PURSUANT TO CASE 4100, BEAVERHEAD COUNTY, IS SUBSEQUENT TO THE RIGHTS DECREED IN CASE 2627, REGARDLESS OF PRIORITY DATE. THOSE WATER RIGHTS FROM CASE 2627 ARE: 1080-00, 27459-00, 27460-00, 41591-00, 41592-00, 92794-00, 92891-00, 93193-00, 93194-00, 93195-00, 93820-00, 93821-00, 93822-00, 93823-00, 93824-00, 93825-00, 182379-00.

Type of Historical Right: DECREED

***Purpose(use):** IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.70 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 369.00

Source Name: WISE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWNE	19	1S	11W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: TRUEMAN DITCH						
2		SWSWNW	30	1S	11W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: HJELMSTAD DITCH						
Period of Use: APRIL 1 TO OCTOBER 4						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	4.00		W2SWNW	16	1S	11W	BEAVERHEAD
2	2.00		SWNENE	17	1S	11W	BEAVERHEAD
3	4.00		SESENE	17	1S	11W	BEAVERHEAD
4	40.00		W2NE	17	1S	11W	BEAVERHEAD
5	24.00		SENE	17	1S	11W	BEAVERHEAD
6	68.00		SE	17	1S	11W	BEAVERHEAD
7	2.00		NWNWSE	17	1S	11W	BEAVERHEAD
8	4.00		N2SESE	17	1S	11W	BEAVERHEAD
9	69.00		N2SW	17	1S	11W	BEAVERHEAD
10	38.00		S2SW	17	1S	11W	BEAVERHEAD
11	4.00		E2E2SE	18	1S	11W	BEAVERHEAD
12	49.00		NE	19	1S	11W	BEAVERHEAD
13	3.00		N2NESE	19	1S	11W	BEAVERHEAD
14	2.00		NWNWNE	20	1S	11W	BEAVERHEAD
15	56.00		NW	20	1S	11W	BEAVERHEAD
Total:	369.00						

THE PLACE OF USE IS LOCATED IN HOMESTEAD ENTRY SURVEY NO. 419, 122, 515, 219.

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

93827-00 93832-00 93834-00 93835-00 93836-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/11/1997: FLOW RATE, VOLUME.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/15/2000: PLACE OF USE, MAXIMUM ACRES.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 07/21/1998.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93837-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MILDRED WALCHLY
PO BOX 178
WISDOM, MT 59761 0178

Priority Date: JUNE 1, 1891

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 5.00 CFS

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF SWAMP CREEK
Source Type: GROUNDWATER
ALSO KNOWN AS WALCHLY SPRINGS

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWSWNW	3	3S	16W	BEAVERHEAD

Diversion Means: PIPELINE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNW	2	2S	16W	BEAVERHEAD
2			S2	35	2S	16W	BEAVERHEAD
3			N2	3	3S	16W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

93258-00 93837-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93838-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JAMES O WEISS
PO BOX 62
WISDOM, MT 59761 0062

Priority Date: MAY 27, 1889

Type of Historical Right: DECREE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 7.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 465.00

Source Name: ROCK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWSE	17	4S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: MIFFLIN DITCH NO. 2

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	107.00		SW	3	4S	16W	BEAVERHEAD
2	145.00		SE	4	4S	16W	BEAVERHEAD
3	76.00		E2NE	9	4S	16W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	40.00		NWNE	9	4S	16W	BEAVERHEAD
5	97.00		NW	10	4S	16W	BEAVERHEAD
Total:	465.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

216366-00	93838-00	93839-00	93844-00	93845-00	93846-00	93847-00
93848-00	93849-00	93851-00				

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

93838-00 93842-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/17/1993: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/20/2001: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93839-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JAMES O WEISS
PO BOX 62
WISDOM, MT 59761 0062

Priority Date: MAY 30, 1890

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 5.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 640.00

Source Name: ROCK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWSE	17	4S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: MIFFLIN DITCH NO. 2

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	107.00		SW	3	4S	16W	BEAVERHEAD
2	145.00		SE	4	4S	16W	BEAVERHEAD
3	76.00		E2NE	9	4S	16W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	40.00		NWNE	9	4S	16W	BEAVERHEAD
5	85.00		S2S2	9	4S	16W	BEAVERHEAD
6	97.00		NW	10	4S	16W	BEAVERHEAD
7	90.00		NW	16	4S	16W	BEAVERHEAD
Total:	640.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

216366-00 93838-00 93839-00 93844-00 93845-00 93846-00 93847-00
 93848-00 93849-00 93851-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/17/1993: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/20/2001: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93840-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: JAMES O WEISS
PO BOX 62
WISDOM, MT 59761 0062

Priority Date: MAY 8, 1902

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF ROCK CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS LITTLE LAKE CREEK AND AS MOOSE CREEK WASTE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SW	SESE	32	3S 16W	BEAVERHEAD
Diversion Means: HEADGATE						
2		NW	NESE	4	4S 16W	BEAVERHEAD
Diversion Means: HEADGATE						
3			SE	4	4S 16W	BEAVERHEAD
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
Period of Use: JANUARY 1 TO DECEMBER 31						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2	3	4S	16W	BEAVERHEAD
2			E2NE	4	4S	16W	BEAVERHEAD
3			SE	4	4S	16W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

93840-00 93844-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/20/2001: POINT OF DIVERSION, PLACE OF USE, SOURCE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93841-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JAMES O WEISS
PO BOX 62
WISDOM, MT 59761 0062

Priority Date: FEBRUARY 12, 1901

Type of Historical Right: FILED

Purpose(use): STOCK

Flow Rate: 100.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF ROCK CREEK

Source Type: GROUNDWATER

ALL SPRINGS FLOW CONTINUALLY AT 48 DEGREES FAHRENHEIT.

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SW	NESENW	4	4S 16W	BEAVERHEAD
	Diversion Means:	DEVELOPED SPRING				
2		NE	SESENW	4	4S 16W	BEAVERHEAD
	Diversion Means:	DEVELOPED SPRING				
3		N	NENWSE	4	4S 16W	BEAVERHEAD
	Diversion Means:	DEVELOPED SPRING				
4		SW	NENWSE	4	4S 16W	BEAVERHEAD
	Diversion Means:	DEVELOPED SPRING				

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5		W2	NESE 4	4S	16W	BEAVERHEAD
Diversion Means: DEVELOPED SPRING						
6			NWSENWSW 3	4S	16W	BEAVERHEAD
Diversion Means: DEVELOPED SPRING						
7			SWSWNESW 3	4S	16W	BEAVERHEAD
Diversion Means: DEVELOPED SPRING						
8			SESENESEW 3	4S	16W	BEAVERHEAD
Diversion Means: DEVELOPED SPRING						

POINT OF DIVERSION NO. 5 CONSISTS OF AT LEAST 4 SPRINGS IN THE AREA KNOWN AS SHAW SPRINGS.

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1				SW 3	4S	16W	BEAVERHEAD
2				NESE 4	4S	16W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

93841-00 93848-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/20/2001: POINT OF DIVERSION, MEANS OF DIVERSION.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE EXCEEDS THE 35 GPM GUIDELINE FOR THIS PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93842-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: JAMES O WEISS
PO BOX 62
WISDOM, MT 59761 0062

Priority Date: MAY 27, 1889

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** ROCK CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		E2SESW	3	4S	16W	BEAVERHEAD	
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2		SESWSE	9	4S	16W	BEAVERHEAD	
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3		NW	10	4S	16W	BEAVERHEAD	
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
4		N2N2	16	4S	16W	BEAVERHEAD	
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2	SES	W		BEAVERHEAD
2			SE	SW	SE	W	BEAVERHEAD
3			N				BEAVERHEAD
4			N2	N	SE	W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

93838-00 93842-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59711-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93843-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: JAMES O WEISS
PO BOX 62
WISDOM, MT 59761 0062

Priority Date: MAY 27, 1889

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: ROCK CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWSE	17	4S	16W	BEAVERHEAD

Diversion Means: HEADGATE
Ditch Name: MIFFLIN DITCH NO. 2

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SW	3	4S	16W	BEAVERHEAD
2			SE	4	4S	16W	BEAVERHEAD
3			NE	9	4S	16W	BEAVERHEAD
4			S2S2	9	4S	16W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5			NW	10	4S	16W	BEAVERHEAD
6			NW	16	4S	16W	BEAVERHEAD

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/20/2001: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93844-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JAMES O WEISS
PO BOX 62
WISDOM, MT 59761 0062

Priority Date: MAY 8, 1902

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 5.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 260.00

***Source Name:** UNNAMED TRIBUTARY OF ROCK CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSESE	32	3S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	134.00		NW	3	4S	16W	BEAVERHEAD
2	34.00		N2SW	3	4S	16W	BEAVERHEAD
3	68.00		NE	4	4S	16W	BEAVERHEAD
4	24.00		N2SW	4	4S	16W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	260.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

216366-00	93838-00	93839-00	93844-00	93845-00	93846-00	93847-00
93848-00	93849-00	93851-00				

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

93840-00	93844-00
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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/20/2001: PLACE OF USE, POINT OF DIVERSION, MAXIMUM ACRES.

AUTHORIZATION TO CHANGE POINT OF DIVERSION COMPLETED 08/22/1980. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE UPDATED IN THE CENTRALIZED RECORDS SYSTEM AFTER FINAL DECREE. SEE AUTHORIZATION TO CHANGE NO. 93844-99.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93845-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JAMES O WEISS
PO BOX 62
WISDOM, MT 59761 0062

Priority Date: MAY 27, 1889

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 175.00

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF ROCK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N2NW	16	4S	16W	BEAVERHEAD

Diversion Means: DITCH

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	85.00		S2S2	9	4S	16W	BEAVERHEAD
2	90.00		NW	16	4S	16W	BEAVERHEAD

Total: 175.00

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

216366-00	93838-00	93839-00	93844-00	93845-00	93846-00	93847-00
93848-00	93849-00	93851-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/20/2001: PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93846-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JAMES O WEISS
PO BOX 62
WISDOM, MT 59761 0062

Priority Date: MAY 27, 1899

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 24.24 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 640.00

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF ROCK CREEK

Source Type: SURFACE WATER

THE SOURCE IS WATER COLLECTED IN THE MIFFLIN DITCH NO. 2.

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SW	4S	16W	BEAVERHEAD

Diversion Means: DITCH

Ditch Name: MIFFLIN DITCH NO. 2

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	107.00		SW	3	4S	16W	BEAVERHEAD
2	145.00		SE	4	4S	16W	BEAVERHEAD
3	76.00		E2NE	9	4S	16W	BEAVERHEAD
4	40.00		NWNE	9	4S	16W	BEAVERHEAD
5	85.00		S2S2	9	4S	16W	BEAVERHEAD
6	97.00		NW	10	4S	16W	BEAVERHEAD
7	90.00		NW	16	4S	16W	BEAVERHEAD
Total:	640.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

216366-00 93838-00 93839-00 93844-00 93845-00 93846-00 93847-00
 93848-00 93849-00 93851-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/17/1993: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/20/2001: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93847-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JAMES O WEISS
PO BOX 62
WISDOM, MT 59761 0062

Priority Date: MAY 4, 1903

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 260.00

***Source Name:** WASTE & SEEPAGE, UNNAMED TRIBUTARY OF ROCK CREEK

Source Type: SURFACE WATER

THE CLAIMED SOURCE IS WASTE AND SEEPAGE OF MOOSE CREEK. THE SOURCE NAME WAS STANDARDIZED PER HIGHLAND RANCH QUADRANGLE.

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SW	SE	32	3S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	134.00		NW	3	4S	16W	BEAVERHEAD
2	34.00		N2SW	3	4S	16W	BEAVERHEAD
3	68.00		NE	4	4S	16W	BEAVERHEAD
4	24.00		N2SW	4	4S	16W	BEAVERHEAD
Total:	260.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

216366-00 93838-00 93839-00 93844-00 93845-00 93846-00 93847-00
 93848-00 93849-00 93851-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/20/2001: MEANS OF DIVERSION, POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93848-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JAMES O WEISS
PO BOX 62
WISDOM, MT 59761 0062

Priority Date: FEBRUARY 12, 1901

***Type of Historical Right:** FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 336.60 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 76.00

***Source Name:** SPRING, UNNAMED TRIBUTARY OF ROCK CREEK

Source Type: GROUNDWATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SW	NE	4S	16W	BEAVERHEAD
	Diversion Means: DEVELOPED SPRING					
2		NE	SE	4S	16W	BEAVERHEAD
	Diversion Means: DEVELOPED SPRING					
3		N	E	4S	16W	BEAVERHEAD
	Diversion Means: DEVELOPED SPRING					
4		SW	N	4S	16W	BEAVERHEAD
	Diversion Means: DEVELOPED SPRING					

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5		W2NESE	4	4S	16W	BEAVERHEAD

Diversion Means: DEVELOPED SPRING

POINT OF DIVERSION NO. 5 CONSISTS OF AT LEAST 4 SPRINGS IN THE AREA, KNOW AS SHAW SPRINGS.

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	61.00		SW	3	4S	16W	BEAVERHEAD
2	15.00		E2SE	4	4S	16W	BEAVERHEAD
Total:	76.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

216366-00 93838-00 93839-00 93844-00 93845-00 93846-00 93847-00
 93848-00 93849-00 93851-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

93841-00 93848-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/20/2001: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93849-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JAMES O WEISS
PO BOX 62
WISDOM, MT 59761 0062

Priority Date: JUNE 10, 1889

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 394.94 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 24.00

Source Name: ROCK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNENW	10	4S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: WEISS DITCH NO. 4

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	17.00		SESW	3	4S	16W	BEAVERHEAD
2	7.00		NENW	10	4S	16W	BEAVERHEAD

Total: 24.00

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

216366-00 93838-00 93839-00 93844-00 93845-00 93846-00 93847-00
93848-00 93849-00 93851-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/20/2001: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93850-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JAMES O WEISS
PO BOX 62
WISDOM, MT 59761 0062

Priority Date: JUNE 10, 1889

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 100.00

Source Name: ROCK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSW	10	4S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: BURGESS DITCH NO. 2

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		NWNE	10	4S	16W	BEAVERHEAD
2	20.00		NENW	10	4S	16W	BEAVERHEAD
3	40.00		SENE	10	4S	16W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	100.00						

Remarks:

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 02/20/2001.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93851-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JAMES O WEISS
PO BOX 62
WISDOM, MT 59761 0062

Priority Date: JUNE 10, 1889

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 117.00

Source Name: ROCK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWSW	10	4S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: BURGESS DITCH NO. 1

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	34.00		S2SW	3	4S	16W	BEAVERHEAD
2	3.00		E2E2NE	9	4S	16W	BEAVERHEAD
3	80.00		NW	10	4S	16W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	117.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

216366-00	93838-00	93839-00	93844-00	93845-00	93846-00	93847-00
93848-00	93849-00	93851-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/20/2001: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93852-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: RAINBOW BEND LLC
PO BOX 1180
DENHAM SPRINGS, LA 70726 1180

Priority Date: JANUARY 23, 1911

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 314.16 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 46.17

***Source Name:** JERRY CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESENE	36	1N	11W	SILVER BOW

Diversion Means: HEADGATE

Ditch Name: FRANKLIN DITCH

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	17.10	1	S2NENE	1	1S	11W	SILVER BOW
2	14.07	2	S2NWNE	1	1S	11W	SILVER BOW
3	15.00		E2SWNE	1	1S	11W	SILVER BOW

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	46.17						

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

93852-00 93853-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/30/1996: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 92611-00, 92664-00, 92665-00, 93529-00, 93852-00, 92614-00, 93102-00, 92612-00, 93853-00, 93103-00, 93528-00.

THE SILVER BOW COUNTY WATER RESOURCES SURVEY (1955) APPEARS TO INDICATE 11.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 879-59 , DATED 09/18/1979 , APPEARS TO INDICATE 43.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 93853-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: RAINBOW BEND LLC
PO BOX 1180
DENHAM SPRINGS, LA 70726 1180

Priority Date: JANUARY 23, 1911

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** JERRY CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESENE	36	1N	11W	SILVER BOW

Diversion Means: HEADGATE

Ditch Name: FRANKLIN DITCH

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		1	SWNENE	1	1S	11W	SILVER BOW
2		2	SEWNNE	1	1S	11W	SILVER BOW
3			E2SWNE	1	1S	11W	SILVER BOW

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

93852-00 93853-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 92611-00, 92664-00, 92665-00, 93529-00, 93852-00, 92614-00, 93102-00, 92612-00, 93853-00, 93103-00, 93528-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
 BIG HOLE RIVER
 BASIN 41D
 ABSTRACT OF WATER RIGHT CLAIM
 IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 94381-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: **WITHDRAWN**

Owners: NORTHWESTERN CORP
 C/O LANDS & PERMITTING DEPT
 40 E BROADWAY
 BUTTE, MT 59701 9350

Priority Date:
Enforceable Priority Date:

Type of Historical Right:

Purpose (use): POWER GENERATION

Flow Rate:

Volume:

Source Name: BIG HOLE RIVER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 06/29/2006.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 94382-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: **WITHDRAWN**

Owners: NORTHWESTERN CORP
C/O LANDS & PERMITTING DEPT
40 E BROADWAY
BUTTE, MT 59701 9350

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): POWER GENERATION

Flow Rate:

Volume:

Source Name: BIG HOLE RIVER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 06/29/2006.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 94383-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

Owners: NORTHWESTERN CORP
C/O LANDS & PERMITTING DEPT
40 E BROADWAY
BUTTE, MT 59701 9350

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): POWER GENERATION

Flow Rate:

Volume:

Source Name: BIG HOLE RIVER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 06/29/2006.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 94384-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: **WITHDRAWN**

Owners: NORTHWESTERN CORP
C/O LANDS & PERMITTING DEPT
40 E BROADWAY
BUTTE, MT 59701 9350

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): POWER GENERATION

Flow Rate:

Volume:

Source Name: PATTENGAIL CREEK

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 06/29/2006.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

**TEMPORARY PRELIMINARY DECREE
 BIG HOLE RIVER
 BASIN 41D
 ABSTRACT OF WATER RIGHT CLAIM
 IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 95177-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: JOHN E LOVELL
 DECEASED
 536 E PARK ST
 BUTTE, MT 59702
 WILLARD E LOVELL
 WILLARD F LOVELL, POWER OF ATTORNEY
 21 WATHENA DR
 BUTTE, MT 59701 3179

Priority Date: AUGUST 1, 1926

Type of Historical Right: USE

***Purpose(use):** MULTIPLE DOMESTIC

Flow Rate: 2.00 GPM

Volume: 2.00 AC-FT

Households: 2

Maximum Acres: 2.00

Source Name: SPRING, UNNAMED TRIBUTARY OF SQUAW CREEK

Source Type: SURFACE WATER
 ALSO KNOWN AS CHARLEY'S DREAM SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	2	1S	14W	BEAVERHEAD

Diversion Means: BUCKET

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.00		NENWSE	2	1S	14W	BEAVERHEAD
Total:	2.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

THE POINT OF DIVERSION IS LOCATED ON US FOREST SERVICE PROPERTY.

VOLUME APPEARS TO BE EXCESSIVE FOR A BUCKET MEANS OF DIVERSION

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 97999-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CANYON CREEK RANCH LLC
1665 W SHADOWRIDGE DR
FAYETTEVILLE, AR 72701 2638

Priority Date: APRIL 17, 1906

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 7.73 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 204.00

***Source Name:** CANYON CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNENW	15	2S	10W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: NORTH DITCH

2		NENWNE	15	2S	10W	BEAVERHEAD
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Diversion Means: HEADGATE

Ditch Name: SOUTH DITCH

***Period of Use:** APRIL 25 TO OCTOBER 5

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	54.00		S2SE	10	2S	10W	BEAVERHEAD
2	16.00		S2SESW	10	2S	10W	BEAVERHEAD
3	59.00		S2SW	11	2S	10W	BEAVERHEAD
4	57.00		N2NW	14	2S	10W	BEAVERHEAD
5	18.00	1	NENE	15	2S	10W	BEAVERHEAD
Total:	204.00						

THE PLACE OF USE INCLUDES GOVT LOT 4 IN SEC 10 TWP 02S RGE 10W BEAVERHEAD COUNTY.

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

97999-00 98000-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. USDA AERIAL PHOTOGRAPH NO(S). 879-44 , DATED 09/18/1979 , APPEARS TO INDICATE 111.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 3P-67 , DATED 07/19/1955 , APPEARS TO INDICATE 116.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
 BIG HOLE RIVER
 BASIN 41D
 ABSTRACT OF WATER RIGHT CLAIM
 IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 98000-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: CANYON CREEK RANCH LLC
 1665 W SHADOWRIDGE DR
 FAYETTEVILLE, AR 72701 2638

Priority Date: APRIL 17, 1906

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** CANYON CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNENW	15		2S	10W	BEAVERHEAD
Diversion Means:		HEADGATE					
Ditch Name:		NORTH DITCH					
2		NENWNE	15		2S	10W	BEAVERHEAD
Diversion Means:		HEADGATE					
Ditch Name:		SOUTH DITCH					
Period of Use:		APRIL 1 TO JANUARY 1					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2	SWSE 10	2S	10W	BEAVERHEAD
2			S2	SESW 10	2S	10W	BEAVERHEAD
3			S2	SW 11	2S	10W	BEAVERHEAD
4			N2	NW 14	2S	10W	BEAVERHEAD
5		1	NENE	15	2S	10W	BEAVERHEAD

THE PLACE OF USE INCLUDES GOVT LOT 4 IN SEC 10 TWP 02S RGE 10W BEAVERHEAD COUNTY.

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

97999-00 98000-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/10/1982: POINT OF DIVERSION, MEANS OF DIVERSION, FLOW RATE, VOLUME, PLACE OF USE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 98001-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CANYON CREEK RANCH LLC
1665 W SHADOWRIDGE DR
FAYETTEVILLE, AR 72701 2638

Priority Date: AUGUST 4, 1972

Type of Historical Right: FILED

***Purpose(use):** MULTIPLE DOMESTIC

Flow Rate: 20.00 GPM

Volume: 2.00 AC-FT

Households: 2

Maximum Acres: 0.25

Source Name: GROUNDWATER

Source Type: GROUNDWATER
ALSO KNOWN AS RAY LOHR WELL

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWSW	11	2S	10W	BEAVERHEAD

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	0.25		SESWSW	11	2S	10W	BEAVERHEAD

Total: 0.25

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 98336-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SMITH 6 BAR S LIVESTOCK
PO BOX 320007
GLEN, MT 59732 0007

***Priority Date:** OCTOBER 31, 1964

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF DIVIDE CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS CHINAMAN SPRING NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSE	21	1N	9W	SILVER BOW

Diversion Means: UNDEVELOPED SPRING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2	21	1N	9W	SILVER BOW
2			SW	22	1N	9W	SILVER BOW

Remarks:

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 93648-00.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 100011-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HIRSCHY, DICK CATTLE INC
PO BOX 50
JACKSON, MT 59736 0050

Priority Date: MAY 1, 1902

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 7.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 300.00

Source Name: SAWPIT CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESESE	3	3S	17W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 15 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	300.00		W2	2	3S	17W	BEAVERHEAD

Total: 300.00

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

100011-00 15218-00 15219-00 15220-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
 BIG HOLE RIVER
 BASIN 41D
 ABSTRACT OF WATER RIGHT CLAIM
 IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 100012-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HIRSCHY, DICK CATTLE INC
 PO BOX 50
 JACKSON, MT 59736 0050

Priority Date: MAY 22, 1900

Type of Historical Right: FILED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 359.08 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 212.00

***Source Name:** BIG HOLE RIVER
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSE	28	6S	15W	BEAVERHEAD

Diversion Means: HEADGATE
Ditch Name: DAVIS-WOODY DITCH

Period of Use: MAY 15 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	10.00		W2W2W2	7	6S	14W	BEAVERHEAD
2	202.00		E2	12	6S	15W	BEAVERHEAD
Total:	212.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

100012-00	100013-00	100014-00	45342-00	45343-00	45344-00	45345-00
45346-00	45347-00	45348-00	45349-00	45350-00	45351-00	

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/30/2000: MAXIMUM ACRES, PLACE OF USE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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Water Right Number: 41D 100013-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HIRSCHY, DICK CATTLE INC
PO BOX 50
JACKSON, MT 59736 0050

Priority Date: APRIL 9, 1903

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.60 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 212.00

***Source Name:** BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSE	28	6S	15W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: DAVIS-WOODY DITCH

Period of Use: MAY 15 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	10.00		W2W2W2	7	6S	14W	BEAVERHEAD
2	202.00		E2	12	6S	15W	BEAVERHEAD

Total: 212.00

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

100012-00	100013-00	100014-00	45342-00	45343-00	45344-00	45345-00
45346-00	45347-00	45348-00	45349-00	45350-00	45351-00	

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/30/2000: MAXIMUM ACRES, PLACE OF USE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 100014-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HIRSCHY, DICK CATTLE INC
PO BOX 50
JACKSON, MT 59736 0050

***Priority Date:** DECEMBER 31, 1910

Type of Historical Right: FILED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 5.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 212.00

***Source Name:** BIG HOLE RIVER
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSE	28	6S	15W	BEAVERHEAD

Diversion Means: HEADGATE
Ditch Name: DAVIS-WOODY DITCH

Period of Use: MAY 15 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	10.00		W2W2W2	7	6S	14W	BEAVERHEAD
2	202.00		E2	12	6S	15W	BEAVERHEAD
Total:	212.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

100012-00	100013-00	100014-00	45342-00	45343-00	45344-00	45345-00
45346-00	45347-00	45348-00	45349-00	45350-00	45351-00	

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/30/2000: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED SOURCE MAY BE QUESTIONABLE. THE SOURCE DESCRIBED IN THE FILED NOTICE OF APPROPRIATION STATES WASTES FROM OLD WILLARD DITCH THAT FLOWS INTO THE BARNES-DAVIS DITCH.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 100018-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BIG HOLE RIVER LLC
5100 CALIFORNIA AVE SUITE 234
BAKERSFIELD, CA 93309 0718

Priority Date: SEPTEMBER 7, 1900

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 18.03 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 476.00

Source Name: MUDD CREEK, WEST FORK

Source Type: SURFACE WATER

ALSO KNOWN AS WILLIAMS OR HARRIS CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSW	31	2N	14W	DEER LODGE

Diversion Means: HEADGATE

WATER DIVERTED FROM THE WEST FORK OF MUDD CREEK IS CONVEYED TO YORK GULCH TO CLAIMED SECONDARY POINT OF DIVERSION NO. 03, AND THEN DIVERTED INTO AN UNNAMED TRIBUTARY OF YORK GULCH WHICH IS USED AS A NATURAL CARRIER TO CLAIMED SECONDARY POINTS OF DIVERSION LOCATED AT:

- 23 SESWNW SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 24 NWNWSE SEC 17 TWN 1N RGE 14W DEERLODGE CO

WATER DIVERTED FROM THE WEST FORK OF MUDD CREEK IS CONVEYED TO YORK GULCH TO CLAIMED SECONDARY POINTS OF DIVERSION LOCATED AT:

- 02 NESENE SEC 7 TWN 1N RGE 14W DEERLODGE CO
- 03 NWNWSW SEC 8 TWN 1N RGE 14W DEERLODGE CO
- 04 SENWSW SEC 8 TWN 1N RGE 14W DEERLODGE CO
- 05 SENESW SEC 8 TWN 1N RGE 14W DEERLODGE CO
- 06 SWSWSE SEC 8 TWN 1N RGE 14W DEERLODGE CO
- 07 SESWNE SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 08 SENWSE SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 09 SENWSE SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 10 NWSESE SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 11 SWSESE SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 12 SWSESE SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 13 SESESE SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 14 NESESE SEC 20 TWN 1N RGE 14W DEERLODGE CO
- 15 SESESE SEC 20 TWN 1N RGE 14W DEERLODGE CO
- 16 NWNWNW SEC 28 TWN 1N RGE 14W DEERLODGE CO
- 17 SENWNW SEC 28 TWN 1N RGE 14W DEERLODGE CO

WATER DIVERTED FROM THE WEST FORK OF MUDD CREEK IS CONVEYED TO YORK GULCH TO CLAIMED SECONDARY POINTS OF DIVERSION NO. 03 AND 06 AND THEN DIVERTED INTO AN UNNAMED TRIBUTARY OF YORK GULCH WHICH IS USED AS A NATURAL CARRIER TO CLAIMED SECONDARY POINTS OF DIVERSION LOCATED AT:

- 18 NWNENW SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 19 NWNENW SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 20 SENENW SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 21 NWSWNE SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 22 NWSWNE SEC 17 TWN 1N RGE 14W DEERLODGE CO

THE TOWNSHIP IS UNSURVEYED. THE LEGAL LAND DESCRIPTION FOR THE POINT OF DIVERSION HAS BEEN ESTIMATED.

Period of Use: MAY 15 TO OCTOBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	10.00		SWSE	8	1N	14W	DEER LODGE
2	81.00		SW	8	1N	14W	DEER LODGE
3	49.00		W2NE	17	1N	14W	DEER LODGE
4	56.00		NW	17	1N	14W	DEER LODGE
5	85.00		SE	17	1N	14W	DEER LODGE
6	9.00		N2NESW	17	1N	14W	DEER LODGE
7	116.00		NE	20	1N	14W	DEER LODGE
8	14.00		E2SE	20	1N	14W	DEER LODGE
9	55.00		NW	28	1N	14W	DEER LODGE
10	1.00		NENENE	29	1N	14W	DEER LODGE
Total:	476.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

100018-00 100019-00 100020-00 100021-00 100022-00 100023-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/16/2005: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 2/2/2006: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/23/2000: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE MAXIMUM ACRES WAS AMENDED BY THE CLAIMANT ON 06/26/1992.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59711-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 100019-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BIG HOLE RIVER LLC
5100 CALIFORNIA AVE SUITE 234
BAKERSFIELD, CA 93309 0718

Priority Date: MARCH 18, 1914

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 4.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 476.00

***Source Name:** MUDD CREEK, WEST FORK

Source Type: SURFACE WATER

ALSO KNOWN AS WILLIAMS OR HARRIS CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSW	31	2N	14W	DEER LODGE

Diversion Means: HEADGATE

WATER DIVERTED FROM THE WEST FORK OF MUDD CREEK IS CONVEYED TO YORK GULCH TO CLAIMED SECONDARY POINTS OF DIVERSION NO. 03 AND 06 AND THEN DIVERTED INTO AN UNNAMED TRIBUTARY OF YORK GULCH WHICH IS USED AS A NATURAL CARRIER TO CLAIMED SECONDARY POINTS OF DIVERSION LOCATED AT:

- 18 NWNENW SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 19 NWNENW SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 20 SENENW SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 21 NWSWNE SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 22 NWSWNE SEC 17 TWN 1N RGE 14W DEERLODGE CO

WATER DIVERTED FROM THE WEST FORK OF MUDD CREEK IS CONVEYED TO YORK GULCH TO CLAIMED SECONDARY POINT OF DIVERSION NO. 03, AND THEN DIVERTED INTO AN UNNAMED TRIBUTARY OF YORK GULCH WHICH IS USED AS A NATURAL CARRIER TO CLAIMED SECONDARY POINTS OF DIVERSION LOCATED AT:

- 23 SESWNW SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 24 NWNWSE SEC 17 TWN 1N RGE 14W DEERLODGE CO

WATER DIVERTED FROM THE WEST FORK OF MUDD CREEK IS CONVEYED TO YORK GULCH TO CLAIMED SECONDARY POINTS OF DIVERSION LOCATED AT:

- 02 NESENE SEC 7 TWN 1N RGE 14W DEERLODGE CO
- 03 NWNWSW SEC 8 TWN 1N RGE 14W DEERLODGE CO
- 04 SENWSW SEC 8 TWN 1N RGE 14W DEERLODGE CO
- 05 SENESW SEC 8 TWN 1N RGE 14W DEERLODGE CO
- 06 SWSWSE SEC 8 TWN 1N RGE 14W DEERLODGE CO
- 07 SESWNE SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 08 SENWSE SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 09 SENWSE SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 10 NWSESE SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 11 SWSESE SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 12 SWSESE SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 13 SESESE SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 14 NESESE SEC 20 TWN 1N RGE 14W DEERLODGE CO
- 15 SESESE SEC 20 TWN 1N RGE 14W DEERLODGE CO
- 16 NWNWNW SEC 28 TWN 1N RGE 14W DEERLODGE CO
- 17 SENWNW SEC 28 TWN 1N RGE 14W DEERLODGE CO

THE TOWNSHIP IS UNSURVEYED. THE LEGAL LAND DESCRIPTION FOR THE POINT OF DIVERSION HAS BEEN ESTIMATED.

Period of Use: MAY 15 TO OCTOBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	10.00		SWSE	8	1N	14W	DEER LODGE
2	81.00		SW	8	1N	14W	DEER LODGE
3	49.00		W2NE	17	1N	14W	DEER LODGE
4	56.00		NW	17	1N	14W	DEER LODGE
5	85.00		SE	17	1N	14W	DEER LODGE
6	9.00		N2NESW	17	1N	14W	DEER LODGE
7	116.00		NE	20	1N	14W	DEER LODGE
8	14.00		E2SE	20	1N	14W	DEER LODGE
9	55.00		NW	28	1N	14W	DEER LODGE
10	1.00		NENENE	29	1N	14W	DEER LODGE
Total:	476.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

100018-00 100019-00 100020-00 100021-00 100022-00 100023-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/16/2005: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 2/2/2006: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/26/1992: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/23/2000: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 100020-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BIG HOLE RIVER LLC
5100 CALIFORNIA AVE SUITE 234
BAKERSFIELD, CA 93309 0718

Priority Date: JUNE 1, 1922

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 3.83 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 101.20

Source Name: UNNAMED TRIBUTARY OF YORK GULCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNW	20	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
2		SENENW	20	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
3		NWSWNE	20	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		SESWNE	20	1N	14W	DEER LODGE
Diversion Means: HEADGATE						
5		SWSENE	20	1N	14W	DEER LODGE
Diversion Means: HEADGATE						
Period of Use: MAY 15 TO OCTOBER 19						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	32.00		NE	20	1N	14W	DEER LODGE
2	5.80		E2E2NW	20	1N	14W	DEER LODGE
3	63.40		SE	20	1N	14W	DEER LODGE
Total:	101.20						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

100018-00 100019-00 100020-00 100021-00 100022-00 100023-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/10/2006: PRIORITY DATE, TYPE OF HISTORICAL RIGHT.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/26/1992: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/23/2000: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 100021-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: BIG HOLE RIVER LLC
5100 CALIFORNIA AVE SUITE 234
BAKERSFIELD, CA 93309 0718

Priority Date: MARCH 18, 1914

Type of Historical Right: FILED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 4.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 476.00

***Source Name:** YORK GULCH

Source Type: SURFACE WATER

THIS WATER RIGHT ALSO INCLUDES SURFACE WATER FROM UNNAMED TRIBUTARY OF YORK GULCH LOCATED: W2W2 SEC16, SESE SEC17, E2E2 SEC20.

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESENE	7	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
2		NWNWSW	8	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
3		SENWSW	8	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		SENESW	8	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
5		SWSWSE	8	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
6		SESWNE	17	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
7		SENWSE	17	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
8		SENWSE	17	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
9		NWSESE	17	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
10		SWSESE	17	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
11		SWSESE	17	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
12		SESESE	17	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
13		NESESE	20	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
14		SESESE	20	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
15		NWNWNW	28	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
16		SENWNW	28	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				

WATER IS DIVERTED FROM YORK GULCH TO CLAIMED POINTS OF DIVERSION NO. 02 AND 05 AND THEN DIVERTED INTO AN UNNAMED TRIBUTARY OF YORK GULCH WHICH IS USED AS A NATURAL CARRIER TO CLAIMED SECONDARY POINTS OF DIVERSION LOCATED AT:

- 17 NWNENW SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 18 NWNENW SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 19 SENENW SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 20 NWSWNE SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 21 NWSWNE SEC 17 TWN 1N RGE 14W DEERLODGE CO

WATER IS DIVERTED FROM YORK GULCH TO CLAIMED POINT OF DIVERSION NO. 02, AND THEN DIVERTED INTO AN UNNAMED TRIBUTARY OF YORK GULCH WHICH IS USED AS A NATURAL CARRIER TO CLAIMED SECONDARY POINTS OF DIVERSION LOCATED AT:

- 22 SESWNW SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 23 NWNWSE SEC 17 TWN 1N RGE 14W DEERLODGE CO

Period of Use: MAY 15 TO OCTOBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	10.00		SWSE	8	1N	14W	DEER LODGE
2	81.00		SW	8	1N	14W	DEER LODGE
3	49.00		W2NE	17	1N	14W	DEER LODGE

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	56.00		NW	17	1N	14W	DEER LODGE
5	85.00		SE	17	1N	14W	DEER LODGE
6	9.00		N2NESW	17	1N	14W	DEER LODGE
7	116.00		NE	20	1N	14W	DEER LODGE
8	14.00		E2SE	20	1N	14W	DEER LODGE
9	55.00		NW	28	1N	14W	DEER LODGE
10	1.00		NENENE	29	1N	14W	DEER LODGE
Total:	476.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

100018-00 100019-00 100020-00 100021-00 100022-00 100023-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/16/2005: POINT OF DIVERSION, FLOW RATE, MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 2/2/2006: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 2/2/2006: FLOW RATE, PRIORITY DATE, TYPE OF HISTORICAL RIGHT.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/23/2000: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 100022-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BIG HOLE RIVER LLC
5100 CALIFORNIA AVE SUITE 234
BAKERSFIELD, CA 93309 0718

Priority Date: DECEMBER 4, 1911

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 7.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 476.00

Source Name: MUDD CREEK, WEST FORK

Source Type: SURFACE WATER

ALSO KNOWN AS WILLIAMS OR HARRIS CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSW	31	2N	14W	DEER LODGE

Diversion Means: HEADGATE

WATER DIVERTED FROM THE WEST FORK OF MUDD CREEK IS CONVEYED TO YORK GULCH TO CLAIMED SECONDARY POINTS OF DIVERSION LOCATED AT:
 02 NESENE SEC 7 TWN 1N RGE 14W DEERLODGE CO
 03 NWNWSW SEC 8 TWN 1N RGE 14W DEERLODGE CO
 04 SENWSW SEC 8 TWN 1N RGE 14W DEERLODGE CO
 05 SENESW SEC 8 TWN 1N RGE 14W DEERLODGE CO
 06 SWSWSE SEC 8 TWN 1N RGE 14W DEERLODGE CO
 07 SESWNE SEC 17 TWN 1N RGE 14W DEERLODGE CO
 08 SENWSE SEC 17 TWN 1N RGE 14W DEERLODGE CO
 09 SENWSE SEC 17 TWN 1N RGE 14W DEERLODGE CO
 10 NWSESE SEC 17 TWN 1N RGE 14W DEERLODGE CO
 11 SWSESE SEC 17 TWN 1N RGE 14W DEERLODGE CO
 12 SWESE SEC 17 TWN 1N RGE 14W DEERLODGE CO
 13 SESESE SEC 17 TWN 1N RGE 14W DEERLODGE CO
 14 NESESE SEC 20 TWN 1N RGE 14W DEERLODGE CO
 15 SESESE SEC 20 TWN 1N RGE 14W DEERLODGE CO
 16 NWNWNW SEC 28 TWN 1N RGE 14W DEERLODGE CO
 17 SENWNW SEC 28 TWN 1N RGE 14W DEERLODGE CO

WATER DIVERTED FROM THE WEST FORK OF MUDD CREEK IS CONVEYED TO YORK GULCH TO CLAIMED SECONDARY POINTS OF DIVERSION NO. 03 AND 06 AND THEN DIVERTED INTO AN UNNAMED TRIBUTARY OF YORK GULCH WHICH IS USED AS A NATURAL CARRIER TO CLAIMED SECONDARY POINTS OF DIVERSION LOCATED AT:

18 NWNENW SEC 17 TWN 1N RGE 14W DEERLODGE CO
 19 NWNENW SEC 17 TWN 1N RGE 14W DEERLODGE CO
 20 SENENW SEC 17 TWN 1N RGE 14W DEERLODGE CO
 21 NWSWNE SEC 17 TWN 1N RGE 14W DEERLODGE CO
 22 NWSWNE SEC 17 TWN 1N RGE 14W DEERLODGE CO

WATER DIVERTED FROM THE WEST FORK OF MUDD CREEK IS CONVEYED TO YORK GULCH TO CLAIMED SECONDARY POINT OF DIVERSION NO. 03, AND THEN DIVERTED INTO AN UNNAMED TRIBUTARY OF YORK GULCH WHICH IS USED AS A NATURAL CARRIER TO CLAIMED SECONDARY POINTS OF DIVERSION LOCATED AT:

23 SESWNW SEC 17 TWN 1N RGE 14W DEERLODGE CO
 24 NWNWSE SEC 17 TWN 1N RGE 14W DEERLODGE CO

THE TOWNSHIP IS UNSURVEYED. THE LEGAL LAND DESCRIPTION FOR THE POINT OF DIVERSION HAS BEEN ESTIMATED.

Period of Use: MAY 15 TO OCTOBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	10.00		SWSE	8	1N	14W	DEER LODGE
2	81.00		SW	8	1N	14W	DEER LODGE
3	49.00		W2NE	17	1N	14W	DEER LODGE
4	56.00		NW	17	1N	14W	DEER LODGE
5	85.00		SE	17	1N	14W	DEER LODGE
6	9.00		N2NESW	17	1N	14W	DEER LODGE
7	116.00		NE	20	1N	14W	DEER LODGE
8	14.00		E2SE	20	1N	14W	DEER LODGE
9	55.00		NW	28	1N	14W	DEER LODGE
10	1.00		NENENE	29	1N	14W	DEER LODGE
Total:	476.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

100018-00 100019-00 100020-00 100021-00 100022-00 100023-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/16/2005: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 2/2/2006: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/23/2000: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 100023-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BIG HOLE RIVER LLC
5100 CALIFORNIA AVE SUITE 234
BAKERSFIELD, CA 93309 0718

Priority Date: JUNE 1, 1922

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 18.03 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 476.00

Source Name: YORK GULCH

Source Type: SURFACE WATER

THIS WATER RIGHT ALSO INCLUDES SURFACE WATER FROM UNNAMED TRIBUTARY OF YORK GULCH LOCATED: W2W2 SEC16, SESE SEC17, AND E2E2 SEC20.

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESENE	7	1N	14W	DEER LODGE

Diversion Means: HEADGATE

2		NWNWSW	8	1N	14W	DEER LODGE
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Diversion Means: HEADGATE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
3		SENWSW	8	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
4		SESW	8	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
5		SWSWSE	8	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
6		SESWNE	17	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
7		SESWSE	17	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
8		SESWSE	17	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
9		NWSESE	17	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
10		SWSESE	17	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
11		SWSESE	17	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
12		SESESE	17	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
13		NESESE	20	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
14		SESESE	20	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
15		NWNWNW	28	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				
16		SESWNW	28	1N	14W	DEER LODGE
	Diversion Means:	HEADGATE				

WATER IS DIVERTED FROM YORK GULCH TO CLAIMED POINTS OF DIVERSION NO. 02 AND 05 AND THEN DIVERTED INTO AN UNNAMED TRIBUTARY OF YORK GULCH WHICH IS USED AS A NATURAL CARRIER TO CLAIMED SECONDARY POINTS OF DIVERSION LOCATED AT:

- 17 NWNENW SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 18 NWNENW SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 19 SENENW SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 20 NWSWNE SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 21 NWSWNE SEC 17 TWN 1N RGE 14W DEERLODGE CO

WATER IS DIVERTED FROM YORK GULCH TO CLAIMED POINT OF DIVERSION NO. 02, AND THEN DIVERTED INTO AN UNNAMED TRIBUTARY OF YORK GULCH WHICH IS USED AS A NATURAL CARRIER TO CLAIMED SECONDARY POINTS OF DIVERSION LOCATED AT:

- 22 SESWNW SEC 17 TWN 1N RGE 14W DEERLODGE CO
- 23 NWNWSE SEC 17 TWN 1N RGE 14W DEERLODGE CO

Period of Use: MAY 15 TO OCTOBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	10.00		SWSE	8	1N	14W	DEER LODGE
2	81.00		SW	8	1N	14W	DEER LODGE
3	49.00		W2NE	17	1N	14W	DEER LODGE
4	56.00		NW	17	1N	14W	DEER LODGE
5	85.00		SE	17	1N	14W	DEER LODGE
6	9.00		N2NESW	17	1N	14W	DEER LODGE
7	116.00		NE	20	1N	14W	DEER LODGE
8	14.00		E2SE	20	1N	14W	DEER LODGE
9	55.00		NW	28	1N	14W	DEER LODGE
10	1.00		NENENE	29	1N	14W	DEER LODGE
Total:	476.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

100018-00 100019-00 100020-00 100021-00 100022-00 100023-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/16/2005: POINT OF DIVERSION, FLOW RATE, MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 2/2/2006: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/23/2000: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, SOURCE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 100946-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: LEGACY LAND & LIVESTOCK LLC
1600 BOND RD
DILLON, MT 59725 8394

***Priority Date:** AUGUST 31, 1901

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** BIG HOLE RIVER
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESEW	11	4S	7W	MADISON

Diversion Means: DITCH
Ditch Name: OWSLEY SLOUGH

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2SW	32	3S	6W	MADISON
2			N2NE	5	4S	6W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 100947-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: LEGACY LAND & LIVESTOCK LLC
1600 BOND RD
DILLON, MT 59725 8394

***Priority Date:** JUNE 30, 1901

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** BIG HOLE RIVER
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESENW	32	3S	6W	MADISON

Diversion Means: DITCH

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2	32	3S	6W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 100948-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: LEGACY LAND & LIVESTOCK LLC
1600 BOND RD
DILLON, MT 59725 8394

***Priority Date:** AUGUST 31, 1901

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BIG HOLE RIVER
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWNW	6	4S	6W	MADISON

Diversion Means: DITCH

Ditch Name: SMITH DITCH

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SE	31	3S	6W	MADISON
2			SESESW	31	3S	6W	MADISON
3			S2NW	32	3S	6W	MADISON
4			SW	32	3S	6W	MADISON

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5			N2NE	6	4S	6W	MADISON
6			E2NENW	6	4S	6W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 100950-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: LEGACY LAND & LIVESTOCK LLC
1600 BOND RD
DILLON, MT 59725 8394

***Priority Date:** DECEMBER 31, 1870

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 9.20 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 243.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWNW	6		4S	6W	MADISON

Diversion Means: HEADGATE

Ditch Name: SMITH DITCH

Period of Use: MAY 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	9.00		E2SESE	31	3S	6W	MADISON
2	21.00		S2NW	32	3S	6W	MADISON
3	137.00		SW	32	3S	6W	MADISON
4	62.00		N2NE	6	4S	6W	MADISON
5	14.00		NENW	6	4S	6W	MADISON
Total:	243.00						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/14/1995: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 100951-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: LEGACY LAND & LIVESTOCK LLC
1600 BOND RD
DILLON, MT 59725 8394

Priority Date: JUNE 16, 1881

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 187.00 GPM

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 11.00

***Source Name:** BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	SE	SW	11	4S	7W MADISON

Diversion Means: HEADGATE

Ditch Name: OWSLEY SLOUGH

Period of Use: MAY 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	11.00		N2N2N2NE	5	4S	6W	MADISON
Total:	11.00						

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 100952-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: WILLIAM C CHILDREY
6430 ROSELAWN ROAD
RICHMOND, VA 23226 3115

Priority Date: APRIL 1, 1919

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 1.16 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 3 - MODERATE

Maximum Acres: 30.50

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNE	4		5S	8W	MADISON

Diversion Means: HEADGATE

Ditch Name: ZEIGLER DITCH

Period of Use: APRIL 1 TO DECEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	30.50		NWNE	3	5S	8W	MADISON
Total:	30.50						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE MADISON COUNTY WATER RESOURCES SURVEY (1954) APPEARS TO INDICATE 8.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 178-36 , DATED 09/07/1979 , APPEARS TO INDICATE 21.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 101112-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners:

CLEMOW, MARK RANCHES INC
PO BOX 30112
BILLINGS, MT 59107 0112

ERB LIVESTOCK CORP
5747 HWY 91 S
DILLON, MT 59725

HIRSCHY, JACK LIVESTOCK INC
PO BOX 854
JACKSON, MT 59736 0854

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: JULY 24, 1909

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 176.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 8,925.00

***Source Name:** TRAIL CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNE	21	2S	17W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 15 TO SEPTEMBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	80.00		N2SE	31	1S	15W	BEAVERHEAD
2	40.00		SWSE	31	1S	15W	BEAVERHEAD
3	80.00		S2SE	32	1S	15W	BEAVERHEAD
4	40.00		SESW	32	1S	15W	BEAVERHEAD
5	40.00		NWNW	4	2S	15W	BEAVERHEAD
6	320.00		N2	5	2S	15W	BEAVERHEAD
7	40.00		NWSE	5	2S	15W	BEAVERHEAD
8	80.00		N2SW	5	2S	15W	BEAVERHEAD
9	40.00		SWSW	5	2S	15W	BEAVERHEAD
10	160.00		NE	6	2S	15W	BEAVERHEAD
11	80.00		E2NW	6	2S	15W	BEAVERHEAD
12	40.00		SWNW	6	2S	15W	BEAVERHEAD
13	320.00		S2	6	2S	15W	BEAVERHEAD
14	320.00		N2	7	2S	15W	BEAVERHEAD
15	40.00		NWSE	7	2S	15W	BEAVERHEAD
16	160.00		SW	7	2S	15W	BEAVERHEAD
17	80.00		N2NW	18	2S	15W	BEAVERHEAD
18	185.00		S2N2	1	2S	16W	BEAVERHEAD
19	40.00		NWNW	1	2S	16W	BEAVERHEAD
20	370.00		S2	1	2S	16W	BEAVERHEAD
21	40.00		SWNE	2	2S	16W	BEAVERHEAD
22	40.00		SENW	2	2S	16W	BEAVERHEAD
23	40.00		NWSE	2	2S	16W	BEAVERHEAD
24	40.00		SESE	2	2S	16W	BEAVERHEAD
25	160.00		SW	2	2S	16W	BEAVERHEAD
26	160.00		SE	3	2S	16W	BEAVERHEAD
27	40.00		NESW	3	2S	16W	BEAVERHEAD
28	80.00		S2SW	3	2S	16W	BEAVERHEAD
29	40.00		SESE	4	2S	16W	BEAVERHEAD
30	40.00		SESE	8	2S	16W	BEAVERHEAD
31	320.00		E2	9	2S	16W	BEAVERHEAD
32	80.00		S2SW	9	2S	16W	BEAVERHEAD
33	640.00			10	2S	16W	BEAVERHEAD
34	80.00		E2NE	11	2S	16W	BEAVERHEAD
35	80.00		N2NW	11	2S	16W	BEAVERHEAD
36	40.00		SWNW	11	2S	16W	BEAVERHEAD
37	320.00		S2	11	2S	16W	BEAVERHEAD
38	730.00			12	2S	16W	BEAVERHEAD
39	360.00		N2	13	2S	16W	BEAVERHEAD
40	40.00		NWSE	13	2S	16W	BEAVERHEAD
41	80.00		N2SW	13	2S	16W	BEAVERHEAD
42	40.00		SWSW	13	2S	16W	BEAVERHEAD
43	640.00			14	2S	16W	BEAVERHEAD
44	40.00		NENE	15	2S	16W	BEAVERHEAD
45	80.00		S2NE	15	2S	16W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
46	320.00		S2	15	2S	16W	BEAVERHEAD
47	40.00		NENE	17	2S	16W	BEAVERHEAD
48	80.00		S2NE	17	2S	16W	BEAVERHEAD
49	80.00		N2SE	17	2S	16W	BEAVERHEAD
50	320.00		E2	21	2S	16W	BEAVERHEAD
51	80.00		E2NW	21	2S	16W	BEAVERHEAD
52	40.00		NESW	21	2S	16W	BEAVERHEAD
53	320.00		N2	22	2S	16W	BEAVERHEAD
54	160.00		SE	22	2S	16W	BEAVERHEAD
55	80.00		N2SW	22	2S	16W	BEAVERHEAD
56	40.00		SESW	22	2S	16W	BEAVERHEAD
57	40.00		NENE	23	2S	16W	BEAVERHEAD
58	80.00		W2NE	23	2S	16W	BEAVERHEAD
59	160.00		NW	23	2S	16W	BEAVERHEAD
60	80.00		W2SW	23	2S	16W	BEAVERHEAD
61	40.00		NWNW	24	2S	16W	BEAVERHEAD
62	40.00		NWNW	26	2S	16W	BEAVERHEAD
63	80.00		N2NE	27	2S	16W	BEAVERHEAD
64	40.00		NENW	27	2S	16W	BEAVERHEAD
Total:	8,925.00						

PLACE OF USE NO. 38 IS INCLUDED IN THE 734.76 ACRES OF THE BEAVERHEAD COUNTY GLOS SURVEY SEC 12 TWP 02S RGE 16W.

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

AN AMENDMENT WAS SUBMITTED ON 09/16/92 & 12/02/92. THE AMENDMENT WAS NOT IMPLEMENTED DUE TO LACK OF SIGNATURES AMONG THE OWNERS OF RECORD.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 93249-00, 101112-00.

USDA AERIAL PHOTOGRAPH NO(S). 979-71, 979-61, 979-21 , DATED 09/19/1979, 09/20/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM 12P-94, CXM 12P-151, CXM 12P-96, CXM 12P-54, CXM 12P-150, CXM 12P-148, CXM 12P-28, CXM 12P-30, CXM 17P-56, CXM 12P-17 , DATED 08/09/1955, 08/27/1955 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

PART OF THE CLAIMED PLACE OF USE DOES NOT APPEAR TO BE IRRIGATED BY WATER FROM THE CLAIMED SOURCE.

IT APPEARS POINT OF DIVERSION NO. 1 MAY BE INCORRECT. THE EXISTENCE OF A CONVEYANCE DITCH CANNOT BE CONFIRMED FROM AVAILABLE DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 101113-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: GARY L GIEM
82 GIEM LN
TWIN BRIDGES, MT 59754 9718

***Priority Date:** DECEMBER 31, 1871

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	21	4S	7W	MADISON

Diversion Means: HEADGATE

Ditch Name: PAGEVILLE CANAL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1				15	4S	7W	MADISON
2				22	4S	7W	MADISON

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

101113-00 101117-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/20/1993: PRIORITY DATE, TYPE OF HISTORICAL RIGHT.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 101115-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: GARY L GIEM
82 GIEM LN
TWIN BRIDGES, MT 59754 9718

***Priority Date:** DECEMBER 31, 1871

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

***Flow Rate:** 2.27 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 60.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SEN	WSE	21	4S	7W	MADISON

Diversion Means: HEADGATE

Ditch Name: PAGEVILLE CANAL

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00	N2NENE	22	4S	7W	MADISON
2	20.00	N2NWNE	22	4S	7W	MADISON
3	20.00	N2NENW	22	4S	7W	MADISON
Total:	60.00					

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/20/1993: PRIORITY DATE, TYPE OF HISTORICAL RIGHT.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 101116-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: GARY L GIEM
82 GIEM LN
TWIN BRIDGES, MT 59754 9718

***Priority Date:** DECEMBER 31, 1871

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

***Flow Rate:** 4.66 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 123.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SEN	WSE	21	4S	7W	MADISON

Diversion Means: HEADGATE

Ditch Name: PAGEVILLE CANAL

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	26.00		SENE	22	4S	7W	MADISON
2	30.00		SWNE	22	4S	7W	MADISON
3	6.00		S2NENW	22	4S	7W	MADISON
4	26.00		SENE	22	4S	7W	MADISON
5	10.00		NESWNW	22	4S	7W	MADISON
6	25.00		NWSE	22	4S	7W	MADISON
Total:	123.00						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/20/1993: PRIORITY DATE, TYPE OF HISTORICAL RIGHT.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 178-81 , DATED 09/07/1979 , APPEARS TO INDICATE 79.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 101117-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: GARY L GIEM
82 GIEM LN
TWIN BRIDGES, MT 59754 9718

***Priority Date:** DECEMBER 31, 1871

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

***Flow Rate:** 10.23 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 270.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SEN	WSE	21	4S	7W	MADISON

Diversion Means: HEADGATE

Ditch Name: PAGEVILLE CANAL

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		SENE	15	4S	7W	MADISON
2	15.00		E2SWNE	15	4S	7W	MADISON
3	155.00		SE	15	4S	7W	MADISON
4	10.00		SENESE	15	4S	7W	MADISON
5	40.00		SESE	15	4S	7W	MADISON
6	10.00		SESESW	15	4S	7W	MADISON
Total:	270.00						

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

101113-00 101117-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/20/1993: PRIORITY DATE, TYPE OF HISTORICAL RIGHT.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 101123-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SMITH 6 BAR S LIVESTOCK
PO BOX 320007
GLEN, MT 59732 0007

Priority Date: AUGUST 24, 1911

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

ALSO KNOWN AS WILLOW SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWW	23	3S	9W	MADISON

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESWW	23	3S	9W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 101124-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MCCULLOUGH RANCHES INC
PO BOX 88
MELROSE, MT 59743 0088

Priority Date: MARCH 21, 1888

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SUCKER CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWSE	27	2S	10W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSW	25	2S	10W	BEAVERHEAD
2			S2	26	2S	10W	BEAVERHEAD

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON SUCKER CREEK WITH A PRIORITY DATE PREDATING CASE NO. 1218 BEAVERHEAD COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 101125-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: J A G PECK CORP
PO BOX 160
MELROSE, MT 59743 0160

Priority Date: MAY 31, 1922

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF TRAPPER CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SW	25	2S	10W	BEAVERHEAD
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						
2		N	SW	25	2S	10W	BEAVERHEAD
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						
3		S	2	26	2S	10W	BEAVERHEAD
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						
Period of Use:	MAY 1 TO NOVEMBER 4						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SE	SWNW	25	2S 10W	BEAVERHEAD
2				NWSW	25	2S 10W	BEAVERHEAD
3				S2	26	2S 10W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 101126-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: **WITHDRAWN**

Owners: MCCULLOUGH RANCHES INC
PO BOX 88
MELROSE, MT 59743 0088

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): IRRIGATION

Flow Rate:

Volume:

Source Name: SUCKER CREEK

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 11/09/1994.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 101127-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: LAST OF THE WEST LIVESTOCK CO
PO BOX 122
MELROSE, MT 59743 0122

Priority Date: MAY 1, 1887

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SUCKER CREEK

Source Type: SURFACE WATER

CASE NO. 1218 BEAVERHEAD COUNTY IDENTIFIES THE SOURCE AS EAST FORK OF SUCKER CREEK.

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWSE	27	2S	10W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: SCHULZ DITCH

Period of Use: MAY 1 TO OCTOBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SE	26	2S	10W	BEAVERHEAD
2			E2SW	26	2S	10W	BEAVERHEAD

Place of Use:

ID Acres Govt Lot Qtr Sec Sec Twp Rge County

Remarks:

THE PURPOSE WAS AMENDED BY THE CLAIMANT ON 11/09/1994.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 101128-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: **WITHDRAWN**

Owners: MCCULLOUGH RANCHES INC
PO BOX 88
MELROSE, MT 59743 0088

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): IRRIGATION

Flow Rate:

Volume:

Source Name: SUCKER CREEK

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 11/09/1994.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 101129-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: **WITHDRAWN**

Owners: MCCULLOUGH RANCHES INC
PO BOX 88
MELROSE, MT 59743 0088

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): IRRIGATION

Flow Rate:

Volume:

Source Name: SUCKER CREEK

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 11/09/1994.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 101130-00 STATEMENT OF CLAIM

**Version: 1 -- ORIGINAL RIGHT
Status: WITHDRAWN**

**Owners: MCCULLOUGH RANCHES INC
PO BOX 88
MELROSE, MT 59743 0088**

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): IRRIGATION

Flow Rate:

Volume:

Source Name: SUCKER CREEK

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 11/09/1994.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 101131-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: LAST OF THE WEST LIVESTOCK CO
PO BOX 122
MELROSE, MT 59743 0122

Priority Date: JULY 15, 1898

Type of Historical Right: DECREED

***Purpose(use):** STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SUCKER CREEK

Source Type: SURFACE WATER

CASE NO. 1218, BEAVERHEAD COUNTY IDENTIFIES THE SOURCE AS MIDDLE FORK OF SUCKER CREEK.

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESW	27	2S	10W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: SCHULZ DITCH

Period of Use: MAY 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	26	2S	10W	BEAVERHEAD
2		E2SW	26	2S	10W	BEAVERHEAD

Place of Use:

ID Acres Govt Lot Qtr Sec Sec Twp Rge County

Remarks:

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 08/27/2004.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 101132-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FRANK P CARDELLO
9940 E YUCCA ST
SCOTTSDALE, AZ 85260 6240

RITA G CARDELLO
9940 E YUCCA ST
SCOTTSDALE, AZ 85260 6240

Priority Date: MARCH 8, 1887

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

***Flow Rate:** 3.83 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 101.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	SESW	11	4S	7W MADISON

Diversion Means: HEADGATE

Ditch Name: OWSLEY SLOUGH

Period of Use: APRIL 15 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	81.00		W2NW	5	4S	6W	MADISON
2	20.00		E2SENE	6	4S	6W	MADISON
Total:	101.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

101132-00 101134-00 101135-00 101136-00 101137-00 101138-00 101139-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE MADISON COUNTY WATER RESOURCES SURVEY (1954) APPEARS TO INDICATE 73.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 101133-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: LAURIE L ROULSTON
18545 PARKLAND DR
SHAKER HEIGHTS, OH 44120 3452

***Priority Date:** DECEMBER 31, 1936

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 323.00 GPM

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 19.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	1		4S	7W	MADISON

Diversion Means: HEADGATE

Ditch Name: SEYLER-HARVEY DITCH

Period of Use: APRIL 15 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	19.00	5	W2SWNW	6	4S	6W	MADISON
Total:	19.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
THE MADISON COUNTY WATER RESOURCES SURVEY (1954) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 101134-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FRANK P CARDELLO
9940 E YUCCA ST
SCOTTSDALE, AZ 85260 6240

RITA G CARDELLO
9940 E YUCCA ST
SCOTTSDALE, AZ 85260 6240

Priority Date: DECEMBER 28, 1921

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

***Flow Rate:** 3.83 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 101.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	SESW	11	4S	7W MADISON

Diversion Means: HEADGATE

Ditch Name: OWSLEY SLOUGH

Period of Use: APRIL 15 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	81.00		W2NW	5	4S	6W	MADISON
2	20.00		E2SENE	6	4S	6W	MADISON
Total:	101.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

101132-00 101134-00 101135-00 101136-00 101137-00 101138-00 101139-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE MADISON COUNTY WATER RESOURCES SURVEY (1954) APPEARS TO INDICATE 73.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 101135-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FRANK P CARDELLO
9940 E YUCCA ST
SCOTTSDALE, AZ 85260 6240

RITA G CARDELLO
9940 E YUCCA ST
SCOTTSDALE, AZ 85260 6240

Priority Date: JANUARY 1, 1914

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 4.55 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 120.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	SESW	11	4S	7W MADISON

Diversion Means: HEADGATE

Ditch Name: OWSLEY SLOUGH

Period of Use: APRIL 15 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	120.00		S2N2	6	4S	6W	MADISON
Total:	120.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

101132-00 101134-00 101135-00 101136-00 101137-00 101138-00 101139-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE MADISON COUNTY WATER RESOURCES SURVEY (1954) APPEARS TO INDICATE 87.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
USDA AERIAL PHOTOGRAPH NO(S). 178-79 , DATED 09/07/1979 , APPEARS TO INDICATE 104.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 101136-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FRANK P CARDELLO
9940 E YUCCA ST
SCOTTSDALE, AZ 85260 6240

RITA G CARDELLO
9940 E YUCCA ST
SCOTTSDALE, AZ 85260 6240

***Priority Date:** DECEMBER 31, 1890

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 4.55 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 120.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	SESW	11	4S	7W MADISON

Diversion Means: HEADGATE

Ditch Name: OWSLEY SLOUGH

Period of Use: APRIL 15 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	120.00		S2N2	6	4S	6W	MADISON
Total:	120.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

101132-00 101134-00 101135-00 101136-00 101137-00 101138-00 101139-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE MADISON COUNTY WATER RESOURCES SURVEY (1954) APPEARS TO INDICATE 87.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 178-79 , DATED 09/07/1979 , APPEARS TO INDICATE 104.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 101137-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FRANK P CARDELLO
9940 E YUCCA ST
SCOTTSDALE, AZ 85260 6240

RITA G CARDELLO
9940 E YUCCA ST
SCOTTSDALE, AZ 85260 6240

Priority Date: JANUARY 1, 1914

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

***Flow Rate:** 3.83 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 101.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	SESW	11	4S	7W MADISON

Diversion Means: HEADGATE

Ditch Name: OWSLEY SLOUGH

Period of Use: APRIL 15 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	81.00		W2NW	5	4S	6W	MADISON
2	20.00		E2SENE	6	4S	6W	MADISON
Total:	101.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

101132-00 101134-00 101135-00 101136-00 101137-00 101138-00 101139-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE MADISON COUNTY WATER RESOURCES SURVEY (1954) APPEARS TO INDICATE 73.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 101138-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: FRANK P CARDELLO
9940 E YUCCA ST
SCOTTSDALE, AZ 85260 6240

RITA G CARDELLO
9940 E YUCCA ST
SCOTTSDALE, AZ 85260 6240

***Priority Date:** DECEMBER 31, 1865
THIS RIGHT PREDATES THE BIG HOLE CO-OP DITCH SYSTEM

Type of Historical Right: USE

Purpose(use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

***Flow Rate:** 5.68 CFS
THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 150.00

***Source Name:** UNNAMED TRIBUTARY OF OWSLEY SLOUGH
Source Type: SURFACE WATER
ALSO KNOWN AS SPRING SLOUGH

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWSE	6	4S	6W	MADISON

Diversion Means: PUMP

Period of Use: APRIL 15 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	80.00		W2NW	5	4S	6W	MADISON
2	70.00		S2NE	6	4S	6W	MADISON
Total:	150.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

101132-00 101134-00 101135-00 101136-00 101137-00 101138-00 101139-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. USDA AERIAL PHOTOGRAPH NO(S). 178-79 , DATED 09/07/1979 , APPEARS TO INDICATE 116.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 101139-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FRANK P CARDELLO
9940 E YUCCA ST
SCOTTSDALE, AZ 85260 6240

RITA G CARDELLO
9940 E YUCCA ST
SCOTTSDALE, AZ 85260 6240

Priority Date: JUNE 1, 1896

THIS RIGHT PREDATES THE BIG HOLE CO-OP DITCH SYSTEM

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 2.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 150.00

***Source Name:** UNNAMED TRIBUTARY OF OWSLEY SLOUGH

Source Type: SURFACE WATER
ALSO KNOWN AS SPRING SLOUGH

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWSE	6	4S	6W	MADISON

Diversion Means: PUMP

Period of Use: APRIL 15 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	80.00		W2NW	5	4S	6W	MADISON
2	70.00		S2NE	6	4S	6W	MADISON
Total:	150.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

101132-00 101134-00 101135-00 101136-00 101137-00 101138-00 101139-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE MADISON COUNTY WATER RESOURCES SURVEY (1954) APPEARS TO INDICATE 84.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 178-79 , DATED 09/07/1979 , APPEARS TO INDICATE 116.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 101168-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BERTHA F EBLEN
PO BOX 322
TWIN BRIDGES, MT 59754 0322**

Priority Date: APRIL 22, 1882

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 9.68 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 271.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SEN	WSE	21	4S	7W MADISON

Diversion Means: HEADGATE

Ditch Name: PAGEVILLE CANAL

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	63.00		E2NW	18	4S	6W	MADISON	
2	31.37		NESW	18	4S	6W	MADISON	
3	44.61	1	NWNW	18	4S	6W	MADISON	
4	44.54	2	SWNW	18	4S	6W	MADISON	
5	44.48	3	NWSW	18	4S	6W	MADISON	
6	43.00	4	SWSW	18	4S	6W	MADISON	
Total:	271.00							

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/20/1993: TYPE OF HISTORICAL RIGHT, PRIORITY DATE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE MADISON COUNTY WATER RESOURCES SURVEY (1954) APPEARS TO INDICATE 188.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

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Water Right Number: 41D 103037-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: STANLEY J STRIZIC
PO BOX 99
WISE RIVER, MT 59762 0099

Priority Date: MAY 19, 1958

***Type of Historical Right:** FILED

Purpose(use): DOMESTIC

Flow Rate: 15.00 GPM

Volume: 3.00 AC-FT

Households: 1

Maximum Acres: 1.00

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2	SWNW	19	1S	11W	BEAVERHEAD

Diversion Means: WELL

THE MEANS OF DIVERSION IS A HAND PUMP.

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.00		S2	SWNW	19	1S	11W BEAVERHEAD

Total: 1.00

Remarks:

POINT OF DIVERSION AND PLACE OF USE ARE LOCATED IN HOMESTEAD ENTRY 112, SEC 19 TWP 01N RGE 11W.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE APPEARS EXCESSIVE FOR A HAND PUMP MEANS OF DIVERSION.
THE CLAIMED VOLUME MAY BE EXCESSIVE FOR THE CLAIMED PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

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Water Right Number: 41D 103042-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: GLORIA M EIGHORN
PO BOX 62
MELROSE, MT 59743 0062

JAMES G EIGHORN
PO BOX 62
MELROSE, MT 59743 0062

Priority Date: OCTOBER 2, 1901

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 290.70 GPM

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 17.10

Source Name: MOOSE CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSE	33		1S	9W	SILVER BOW

Diversion Means: HEADGATE

Period of Use: JUNE 1 TO AUGUST 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	11.35		S2SWSW	33	1S	9W	SILVER BOW
2	5.75		N2NWNW	4	2S	9W	SILVER BOW
Total:	17.10						

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103043-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: WITHDRAWN

Owners: GLORIA M EIGHORN
PO BOX 62
MELROSE, MT 59743 0062

JAMES G EIGHORN
PO BOX 62
MELROSE, MT 59743 0062

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): MINING

Flow Rate:

Volume:

Source Name: MOOSE CREEK

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 02/06/2006.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

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Water Right Number: 41D 103051-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: WISDOM VOLUNTEER FIRE DEPT
PO BOX 32
WISDOM, MT 59761 0032

***Priority Date:** DECEMBER 31, 1958

Type of Historical Right: USE

Purpose(use): FIRE PROTECTION

Flow Rate: 1.11 CFS

***Volume:** THE VOLUME OF THIS WATER RIGHT IS LIMITED TO THE MINIMUM AMOUNTS NECESSARY FOR FIRE PROTECTION PURPOSES.

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SENE	33	2S	15W BEAVERHEAD

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E	E2	33	2S	15W BEAVERHEAD
2			W	W2	34	2S	15W BEAVERHEAD

WATER USED AS NEEDED FOR FIRE PROTECTION ANYWHERE IN THE WISDOM AREA.

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE CANNOT BE CONFIRMED DUE TO A LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103114-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MATTICK FAMILY PARTNERSHIP LTD
%WILLIAM A MATTICK
PO BOX 491257
LEESBURG, FL 34749 1257

Priority Date: JUNE 10, 1900

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.88 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 134.50

Source Name: SMITH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENE	1	6S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: ALBERS DITCH NO. 4

Period of Use: MAY 15 TO OCTOBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.00		NENE	1	6S	14W	BEAVERHEAD
2	4.00		NWNE	1	6S	14W	BEAVERHEAD
3	1.00		SENE	1	6S	14W	BEAVERHEAD
4	35.00		SWNE	1	6S	14W	BEAVERHEAD
5	18.00		SENE	1	6S	14W	BEAVERHEAD
6	5.00		SESENE	1	6S	14W	BEAVERHEAD
7	5.00		NESE	1	6S	14W	BEAVERHEAD
8	36.50		NWSE	1	6S	14W	BEAVERHEAD
9	6.00		SWSE	1	6S	14W	BEAVERHEAD
10	22.00		NESW	1	6S	14W	BEAVERHEAD
Total:	134.50						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/15/2004: MAXIMUM ACRES, PLACE OF USE, POINT OF DIVERSION.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/21/1992: MAXIMUM ACRES, PLACE OF USE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103115-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MATTICK FAMILY PARTNERSHIP LTD
%WILLIAM A MATTICK
PO BOX 491257
LEESBURG, FL 34749 1257

Priority Date: JUNE 15, 1903

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 45.00

Source Name: NELLIE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSENE	25	5S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: ALBERS DITCH NO. 3

Period of Use: MAY 15 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.00		NWSENE	25	5S	14W	BEAVERHEAD
2	6.00		SWSENE	25	5S	14W	BEAVERHEAD
3	3.00		SESWNE	25	5S	14W	BEAVERHEAD
4	3.00		NWNESE	25	5S	14W	BEAVERHEAD
5	2.50		SWNESE	25	5S	14W	BEAVERHEAD
6	8.50		NENWSE	25	5S	14W	BEAVERHEAD
7	3.00		NWNWSE	25	5S	14W	BEAVERHEAD
8	10.00		SEWSE	25	5S	14W	BEAVERHEAD
9	7.00		SWNWSE	25	5S	14W	BEAVERHEAD
Total:	45.00						

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103116-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MATTICK FAMILY PARTNERSHIP LTD
%WILLIAM A MATTICK
PO BOX 491257
LEESBURG, FL 34749 1257

Priority Date: JUNE 15, 1901

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 291.72 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 109.50

Source Name: BULL CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSENE	24	5S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 15 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.50		NESE	24	5S	14W	BEAVERHEAD
2	10.00		NWSE	24	5S	14W	BEAVERHEAD
3	7.00		SESE	24	5S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	34.00		SWSE	24	5S	14W	BEAVERHEAD
5	5.00		NENE	25	5S	14W	BEAVERHEAD
6	40.00		NWNE	25	5S	14W	BEAVERHEAD
7	10.00		SWNE	25	5S	14W	BEAVERHEAD
Total:	109.50						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/15/2004: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103117-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MATTICK FAMILY PARTNERSHIP LTD
%WILLIAM A MATTICK
PO BOX 491257
LEESBURG, FL 34749 1257

Priority Date: JUNE 15, 1901

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.50 CFS

THE WATER RIGHTS FOLLOWING THIS STATEMENT HAVE AN UNDIVIDED INTEREST IN A SINGLE WATER RIGHT FOR 1.50 CFS . 103117, 103118.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 149.50

Source Name: BULL CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SWNE	24	5S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 15 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	6.00	NWSE	24	5S	14W	BEAVERHEAD
2	12.50	NESW	24	5S	14W	BEAVERHEAD
3	16.50	SESW	24	5S	14W	BEAVERHEAD
4	13.00	SWSW	24	5S	14W	BEAVERHEAD
5	2.50	NENW	25	5S	14W	BEAVERHEAD
6	26.00	NWNW	25	5S	14W	BEAVERHEAD
7	4.50	SENW	25	5S	14W	BEAVERHEAD
8	27.50	SWNW	25	5S	14W	BEAVERHEAD
9	8.50	NESW	25	5S	14W	BEAVERHEAD
10	19.50	NWSW	25	5S	14W	BEAVERHEAD
11	4.00	SESW	25	5S	14W	BEAVERHEAD
12	9.00	SWSW	25	5S	14W	BEAVERHEAD
Total:	149.50					

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

103117-00 103118-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103118-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MATTICK FAMILY PARTNERSHIP LTD
%WILLIAM A MATTICK
PO BOX 491257
LEESBURG, FL 34749 1257

Priority Date: JUNE 15, 1901

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.50 CFS

THE WATER RIGHTS FOLLOWING THIS STATEMENT HAVE AN UNDIVIDED INTEREST IN A SINGLE WATER RIGHT FOR 1.50 CFS . 103117, 103118.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 149.50

Source Name: BULL CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SES	WNE	24	5S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 15 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	6.00	NWSE	24	5S	14W	BEAVERHEAD
2	12.50	NESW	24	5S	14W	BEAVERHEAD
3	16.50	SESW	24	5S	14W	BEAVERHEAD
4	13.00	SWSW	24	5S	14W	BEAVERHEAD
5	2.50	NENW	25	5S	14W	BEAVERHEAD
6	26.00	NWNW	25	5S	14W	BEAVERHEAD
7	4.50	SESW	25	5S	14W	BEAVERHEAD
8	27.50	SWNW	25	5S	14W	BEAVERHEAD
9	8.50	NESW	25	5S	14W	BEAVERHEAD
10	19.50	NWSW	25	5S	14W	BEAVERHEAD
11	4.00	SESW	25	5S	14W	BEAVERHEAD
12	9.00	SWSW	25	5S	14W	BEAVERHEAD
Total:	149.50					

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

103117-00 103118-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/15/2004: MAXIMUM ACRES, PLACE OF USE, POINT OF DIVERSION.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103119-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MATTICK FAMILY PARTNERSHIP LTD
%WILLIAM A MATTICK
PO BOX 491257
LEESBURG, FL 34749 1257

Priority Date: JUNE 1, 1906

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 282.74 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 63.00

***Source Name:** GINNY CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENE	36	5S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: ALBERS DITCH NO. 2

2		NWNWNW	31	5S	14W	BEAVERHEAD
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Diversion Means: HEADGATE

Period of Use: MAY 15 TO OCTOBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	22.50		NENE	36	5S	14W	BEAVERHEAD
2	27.50		NWNE	36	5S	14W	BEAVERHEAD
3	3.50		SENE	36	5S	14W	BEAVERHEAD
4	9.50		SWNE	36	5S	14W	BEAVERHEAD
Total:	63.00						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/15/2004: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103137-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MATTICK FAMILY PARTNERSHIP LTD
%WILLIAM A MATTICK
PO BOX 491257
LEESBURG, FL 34749 1257

***Priority Date:** DECEMBER 31, 1941

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 452.50

Source Name: BULL CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENW	19	5S	13W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		GLOSS UPPER DITCH				
2		SESWNE	24	5S	14W	BEAVERHEAD
Diversion Means:		HEADGATE				
3		SWSENE	24	5S	14W	BEAVERHEAD
Diversion Means:		HEADGATE				
Period of Use:		MAY 15 TO OCTOBER 1				

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	6.50		NWSW	19	5S	14W	BEAVERHEAD
2	15.00		SWSW	19	5S	14W	BEAVERHEAD
3	34.00		NESE	24	5S	14W	BEAVERHEAD
4	10.00		NWSE	24	5S	14W	BEAVERHEAD
5	40.00		SESE	24	5S	14W	BEAVERHEAD
6	33.50		SWSE	24	5S	14W	BEAVERHEAD
7	16.50		SESW	24	5S	14W	BEAVERHEAD
8	33.50		NENE	25	5S	14W	BEAVERHEAD
9	40.00		NWNE	25	5S	14W	BEAVERHEAD
10	3.00		SWNE	25	5S	14W	BEAVERHEAD
11	10.00		SWNE	25	5S	14W	BEAVERHEAD
12	2.50		NENW	25	5S	14W	BEAVERHEAD
13	1.00		NENW	25	5S	14W	BEAVERHEAD
14	26.00		NWNW	25	5S	14W	BEAVERHEAD
15	4.50		SESW	25	5S	14W	BEAVERHEAD
16	27.50		SWNW	25	5S	14W	BEAVERHEAD
17	21.00		NWSE	25	5S	14W	BEAVERHEAD
18	6.00		NWSE	25	5S	14W	BEAVERHEAD
19	9.50		SWSE	25	5S	14W	BEAVERHEAD
20	13.00		NESW	25	5S	14W	BEAVERHEAD
21	11.00		NESW	25	5S	14W	BEAVERHEAD
22	8.50		NESW	25	5S	14W	BEAVERHEAD
23	19.50		NWSW	25	5S	14W	BEAVERHEAD
24	13.00		SESW	25	5S	14W	BEAVERHEAD
25	3.50		SESW	25	5S	14W	BEAVERHEAD
26	4.00		SESW	25	5S	14W	BEAVERHEAD
27	1.50		SWSW	25	5S	14W	BEAVERHEAD
28	13.00		SWSW	25	5S	14W	BEAVERHEAD
29	9.00		SWSW	25	5S	14W	BEAVERHEAD
30	11.50		NWNW	30	5S	14W	BEAVERHEAD
31	5.00		NENW	36	5S	14W	BEAVERHEAD
Total:	452.50						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/15/2004: MAXIMUM ACRES, PLACE OF USE, POINT OF DIVERSION.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON BULL CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 1514 BEAVERHEAD COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103138-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MATTICK FAMILY PARTNERSHIP LTD
%WILLIAM A MATTICK
PO BOX 491257
LEESBURG, FL 34749 1257

***Priority Date:** DECEMBER 31, 1941

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 1.16 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 30.50

Source Name: KUNSELMAN CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	NESW	19	5S	13W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 15 TO OCTOBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	7.00		SEN	SW	19	5S 13W	BEAVERHEAD
2	4.00		SWN	SW	19	5S 13W	BEAVERHEAD
3	7.00		NE	SW	19	5S 13W	BEAVERHEAD
4	3.50		N	SW	19	5S 13W	BEAVERHEAD
5	6.00		SE	SW	19	5S 13W	BEAVERHEAD
6	3.00		S	SW	19	5S 13W	BEAVERHEAD
Total:	30.50						

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103139-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DEBORA A LAPHAM
PO BOX 795
JACKSON, MT 59736 0795

LAPHAM RANCH CO
PO BOX 827
JACKSON, MT 59736 0827

MAX C LAPHAM
PO BOX 795
JACKSON, MT 59736 0795

Priority Date: APRIL 18, 1910

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 5.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 149.50

Source Name: WARM SPRINGS CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNESE	8	5S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: WARM SPRINGS EAST SIDE DITCH

Period of Use: MAY 15 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	51.50		W2NW	21	5S	14W	BEAVERHEAD
2	6.00		W2SESW	21	5S	14W	BEAVERHEAD
3	61.00		W2SW	21	5S	14W	BEAVERHEAD
4	2.00		NWNENW	28	5S	14W	BEAVERHEAD
5	23.00		NWNW	28	5S	14W	BEAVERHEAD
6	7.00		N2SWNW	28	5S	14W	BEAVERHEAD
Total:	150.50						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

103139-00 215716-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 150.50.

USDA AERIAL PHOTOGRAPH NO(S). CXM-8FF-9, 979-14 , DATED 8/17/65, 9/17/79 , APPEARS TO INDICATE 46.50 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103142-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MATTICK FAMILY PARTNERSHIP LTD
%WILLIAM A MATTICK
PO BOX 491257
LEESBURG, FL 34749 1257

Priority Date: SEPTEMBER 25, 1910

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.25 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 19.50

Source Name: UNNAMED TRIBUTARY OF BULL CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS WOLF CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NES	SW	25	5S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 15 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	13.00	SESW	25	5S	14W	BEAVERHEAD
2	1.50	SWSW	25	5S	14W	BEAVERHEAD
3	5.00	NENW	36	5S	14W	BEAVERHEAD
Total:	19.50					

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/15/2004: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/07/1992: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 52.00 GPM PER ACRE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103153-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MELROSE VOLUNTEER FIRE DEPT
GENERAL DELIVERY
MANHATTAN, MT 59741 9999

***Priority Date:** JANUARY 31, 1956

Type of Historical Right: USE

Purpose(use): FIRE PROTECTION

Flow Rate: 100.00 GPM

***Volume:** THE VOLUME OF THIS WATER RIGHT IS LIMITED TO THE MINIMUM AMOUNTS NECESSARY FOR FIRE PROTECTION PURPOSES.

***Source Name:** GROUNDWATER

Source Type: GROUNDWATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWSW	26	2S	9W	SILVER BOW

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SW	26	2S	9W	SILVER BOW

WATER USED AS NEEDED FOR FIRE PROTECTION ANYWHERE IN THREE COUNTY AREA, BEAVERHEAD, MADISON, AND SILVER BOW.

Remarks:

WHENEVER THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE COMBINED TO SUPPLY WATER FOR THE CLAIMED PURPOSE, EACH IS LIMITED TO THE HISTORICAL FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. 103153, 103154.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE CANNOT BE CONFIRMED DUE TO A LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103154-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MELROSE VOLUNTEER FIRE DEPT
GENERAL DELIVERY
MANHATTAN, MT 59741 9999

***Priority Date:** DECEMBER 31, 1960

Type of Historical Right: USE

Purpose(use): FIRE PROTECTION

Flow Rate:

***Volume:** THE VOLUME OF THIS WATER RIGHT IS LIMITED TO THE MINIMUM AMOUNTS NECESSARY FOR FIRE PROTECTION PURPOSES.

***Source Name:** GROUNDWATER

Source Type: GROUNDWATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWSW	26	2S	9W	SILVER BOW

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SW	26	2S	9W	SILVER BOW

WATER USED AS NEEDED FOR FIRE PROTECTION ANYWHERE IN THREE COUNTY AREA, BEAVERHEAD, MADISON, AND SILVER BOW.

Remarks:

WHENEVER THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE COMBINED TO SUPPLY WATER FOR THE CLAIMED PURPOSE, EACH IS LIMITED TO THE HISTORICAL FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. 103153, 103154.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE FLOW RATE HAS NOT BEEN EXAMINED AS NO QUANTIFIED FLOW RATE WAS CLAIMED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103176-00 STATEMENT OF CLAIM

**Version: 1 -- ORIGINAL RIGHT
Status: WITHDRAWN**

Owners:
ELMER L UNRUH
722 THOMSEN AVE #1
DILLON, MT 59725 2958

NELL A UNRUH
722 THOMSEN AVE #1
DILLON, MT 59725 2958

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): MINING

Flow Rate:

Volume:

Source Name: MAY CREEK

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 01/20/2006.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103551-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635

***Priority Date:** DECEMBER 31, 1870

***Type of Historical Right:** FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF ROCHESTER CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS DOUGHERTY BUTTE SPRING

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	17	2S	7W	MADISON

Diversion Means: UNDEVELOPED SPRING

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2	16	2S	7W	MADISON
2			E2	17	2S	7W	MADISON

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PLACE OF USE COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103553-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635

***Priority Date:** DECEMBER 31, 1870

ACCORDING TO DOCUMENTATION IN THE FILE, THE SPRING WAS DEVELOPED IN 1953.

***Type of Historical Right:** FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF ROCHESTER CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS SEIDENSTICKER SPRING

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	32	1S	7W	MADISON

Diversion Means: UNDEVELOPED SPRING

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2	32	1S	7W	MADISON
2			N2N2	5	2S	7W	MADISON

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PLACE OF USE COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103557-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635

***Priority Date:** DECEMBER 31, 1870

ACCORDING TO DOCUMENTATION IN THE FILE, THE SPRING WAS DEVELOPED IN 1958.

***Type of Historical Right:** FILED

Purpose(use): STOCK

Flow Rate: 15.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF ROCHESTER CREEK

Source Type: GROUNDWATER

ALSO KNOWN AS GHENIE SPRING

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		SE	SW	17	2S	7W	MADISON

Diversion Means: PIPELINE

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SW	8	2S	7W	MADISON
2			NW	17	2S	7W	MADISON
3			N2SW	17	2S	7W	MADISON

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PLACE OF USE COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103558-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635

***Priority Date:** DECEMBER 31, 1870

ACCORDING TO DOCUMENTATION IN THE FILE, THE SPRING WAS DEVELOPED IN 1945.

***Type of Historical Right:** FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF CAMP CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS HOMESTEAD SPRING

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	31	1S	7W	MADISON

Diversion Means: UNDEVELOPED SPRING

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2S2	31	1S	7W	MADISON
2			N2N2	6	2S	7W	MADISON

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PLACE OF USE COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103559-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635

***Priority Date:** DECEMBER 31, 1870

ACCORDING TO DOCUMENTATION IN THE FILE, THE SPRING WAS DEVELOPED IN 1953.

***Type of Historical Right:** FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF CAMP CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS WEST SLOPE SPRING NO. 1

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESESE	32	1S	7W	MADISON

Diversion Means: UNDEVELOPED SPRING

Period of Use: JUNE 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2	32	1S	7W	MADISON
2			N2N2	5	2S	7W	MADISON

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PLACE OF USE COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103560-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635

***Priority Date:** DECEMBER 31, 1870

ACCORDING TO DOCUMENTATION IN THE FILE, THE SPRING WAS DEVELOPED IN 1959.

***Type of Historical Right:** FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF ROCHESTER CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS ADAMS TUNNEL SPRING

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSESE	8	2S	7W	MADISON

Diversion Means: UNDEVELOPED SPRING

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SE	8	2S	7W	MADISON
2			SW	9	2S	7W	MADISON
3			NW	16	2S	7W	MADISON
4			NE	17	2S	7W	MADISON

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PLACE OF USE COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59711-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103561-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635

Priority Date: JULY 8, 1915

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF CAMP CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS HOMESTEAD SPRING NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENESE	31	1S	7W	MADISON

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENESE	31	1S	7W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103562-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635**

***Priority Date: DECEMBER 31, 1870**

***Type of Historical Right: FILED**

Purpose(use): STOCK

Flow Rate: 30.00 GPM

***Volume: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.**

Source Name: SPRING, UNNAMED TRIBUTARY OF ROCHESTER CREEK

Source Type: GROUNDWATER

ALSO KNOWN AS STEELS PASS SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSE	16	2S	7W	MADISON

Diversion Means: PIPELINE

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2	16	2S	7W	MADISON
2		E2	21	2S	7W	MADISON
3		W2	22	2S	7W	MADISON
4		W2	27	2S	7W	MADISON
5		E2	28	2S	7W	MADISON
6		E2	33	2S	7W	MADISON
7		SW	34	2S	7W	MADISON
8		SWNW	2	3S	7W	MADISON
9		SWSW	3	3S	7W	MADISON
10		NENW	4	3S	7W	MADISON
11		SESW	4	3S	7W	MADISON

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PLACE OF USE MAY BE QUESTIONABLE. ACCORDING TO INFORMATION IN THE CLAIM FILE, THE CLAIMED SPRING WAS IMPROVED IN 1958 AND STOCK TANKS AND PIPELINES WERE ADDED IN 1961, 1964, AND 1966.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103563-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635

***Priority Date:** DECEMBER 31, 1870

***Type of Historical Right:** FILED

Purpose(use): STOCK
Flow Rate: 20.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ROCHESTER CREEK
Source Type: GROUNDWATER
ALSO KNOWN AS SECTION 4 SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		SES	4	2S	7W	MADISON

Diversion Means: PIPELINE

Period of Use: JUNE 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			W	4	2S	7W	MADISON
2			E	5	2S	7W	MADISON
3			N	9	2S	7W	MADISON
4			N	9	2S	7W	MADISON

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PLACE OF USE MAY BE QUESTIONABLE. ACCORDING TO INFORMATION IN THE CLAIM FILE, THE PIPELINE AND STOCK TANKS WERE INSTALLED IN 1968.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103564-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635

***Priority Date:** DECEMBER 31, 1870

ACCORDING TO DOCUMENTATION IN THE FILE, THE SPRING WAS DEVELOPED IN 1959.

***Type of Historical Right:** FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ROCHESTER CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS SECTION 5 SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNE	5	2S	7W	MADISON

Diversion Means: UNDEVELOPED SPRING

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2	W2	4	2S	7W MADISON
2			E	2	5	2S	7W MADISON

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PLACE OF USE COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103565-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635

***Priority Date:** DECEMBER 31, 1870

ACCORDING TO DOCUMENTATION IN THE FILE, THE SPRING WAS DEVELOPED IN 1959.

***Type of Historical Right:** FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ROCHESTER CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS SECTION 8 SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNE	8	2S	7W	MADISON

Diversion Means: UNDEVELOPED SPRING

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2S2	5	2S	7W	MADISON
2				8	2S	7W	MADISON
3			W2W2	9	2S	7W	MADISON

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PLACE OF USE COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103566-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635

***Priority Date:** DECEMBER 31, 1870
ACCORDING TO DOCUMENTATION IN THE FILE, THE SPRING WAS DEVELOPED IN 1950.

***Type of Historical Right:** FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ROCHESTER CREEK
Source Type: SURFACE WATER
ALSO KNOWN AS BLACK ROCK SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	29	2S	7W	MADISON

Diversion Means: UNDEVELOPED SPRING

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SE	20	2S	7W	MADISON
2			SW	21	2S	7W	MADISON
3			NW	28	2S	7W	MADISON
4			E2	29	2S	7W	MADISON

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PLACE OF USE COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59711-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103574-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635

***Priority Date:** DECEMBER 31, 1870
ACCORDING TO DOCUMENTATION IN THE FILE, THE SPRING WAS DEVELOPED IN 1954.

***Type of Historical Right:** FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ROCHESTER CREEK
Source Type: SURFACE WATER
ALSO KNOWN AS LOWER SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSESW	32	1S	7W	MADISON

Diversion Means: UNDEVELOPED SPRING

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2	32	1S	7W	MADISON
2			N2N2	5	2S	7W	MADISON

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PLACE OF USE COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103587-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635

***Priority Date:** DECEMBER 31, 1870

ACCORDING TO DOCUMENTATION IN THE FILE, THE SPRING WAS DEVELOPED IN 1959.

***Type of Historical Right:** FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ROCHESTER CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS LONE BUSH SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNW	16	2S	7W	MADISON

Diversion Means: UNDEVELOPED SPRING

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2	9	2S	7W	MADISON
2				16	2S	7W	MADISON

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PLACE OF USE COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

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Water Right Number: 41D 103702-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: GIEM RANCHES INC
203 SILVER BOW LN
TWIN BRIDGES, MT 59754 9732**

Priority Date: MAY 25, 1901

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate: 3.41 CFS**

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 90.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	21	4S	7W	MADISON

Diversion Means: DIKE

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	5.00		SW	24	4S	7W	MADISON
2	5.00		W2N	24	4S	7W	MADISON
3	80.00		N2	24	4S	7W	MADISON
Total:	90.00						

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103735-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635

***Priority Date:** DECEMBER 31, 1875

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 30.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF THIRD SLOUGH

Source Type: GROUNDWATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSE	28	3S	6W	MADISON

Diversion Means: DEVELOPED SPRING

Period of Use: OCTOBER 1 TO JUNE 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2SW	28	3S	6W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103736-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635

***Priority Date:** DECEMBER 31, 1875

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: THIRD SLOUGH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2	28	3S	6W	MADISON
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2		NE	32	3S	6W	MADISON
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3		S2	32	3S	6W	MADISON
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
4		NWNE	33	3S	6W	MADISON
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
5		NW	33	3S	6W	MADISON
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					

Period of Use: JUNE 1 TO SEPTEMBER 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2	28	3S	6W	MADISON
2			NE	32	3S	6W	MADISON
3			S2	32	3S	6W	MADISON
4			NWNE	33	3S	6W	MADISON
5			NW	33	3S	6W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103737-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: COLWELL, FRANK TRUST
FRANK COLWELL, TRUSTEE
128 INDIAN CREEK RD
SHERIDAN, MT 59749

***Priority Date:** DECEMBER 31, 1929

Type of Historical Right: FILED

Purpose(use): STOCK

Flow Rate: 35.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** GROUNDWATER
Source Type: GROUNDWATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWNW	33	3S	6W	MADISON

Diversion Means: WELL

Period of Use: NOVEMBER 1 TO MAY 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESWNW	33	3S	6W	MADISON

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/09/1995: TYPE OF HISTORICAL RIGHT, FLOW RATE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103738-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635

***Priority Date:** DECEMBER 31, 1875

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** UNNAMED TRIBUTARY OF THIRD SLOUGH

Source Type: SURFACE WATER

ALSO KNOWN AS RUPPEL HOUSE SLOUGH

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		S2	SWNE	28	3S	6W	MADISON
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						
2		S2		28	3S	6W	MADISON
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						
3		SE	SE	29	3S	6W	MADISON
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						
4		NE		32	3S	6W	MADISON
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2	SWNE 28	3S	6W	MADISON
2			S2	28	3S	6W	MADISON
3			SESE	29	3S	6W	MADISON
4			NE	32	3S	6W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103739-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635

***Priority Date:** DECEMBER 31, 1959

Type of Historical Right: FILED

Purpose(use): STOCK

Flow Rate: 35.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** GROUNDWATER

Source Type: GROUNDWATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWSE	28	3S	6W	MADISON

Diversion Means: WELL

Period of Use: NOVEMBER 1 TO APRIL 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNWSE	28	3S	6W	MADISON

Remarks:

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 02/09/1995.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103740-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635

***Priority Date:** DECEMBER 31, 1960

Type of Historical Right: FILED

Purpose(use): STOCK

Flow Rate: 25.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** GROUNDWATER

Source Type: GROUNDWATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWSE	28	3S	6W	MADISON

Diversion Means: WELL

Period of Use: NOVEMBER 1 TO APRIL 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNWSE	28	3S	6W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103741-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635**

Priority Date: JULY 1, 1881

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate: 5.61 CFS**

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 148.00

***Source Name: BIG HOLE RIVER**

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SE	3S	6W	MADISON

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	75.00		W2E2	28	3S	6W	MADISON
2	9.00		SWNESE	28	3S	6W	MADISON
3	63.00		S2SW	28	3S	6W	MADISON
4	1.00		NENWNW	33	3S	6W	MADISON
Total:	148.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

103741-00 138092-00 195091-00 195092-00 195093-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/09/1995: PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103742-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

COLWELL, FRANK TRUST
FRANK COLWELL, TRUSTEE
128 INDIAN CREEK RD
SHERIDAN, MT 59749

HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: JANUARY 1, 1914

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate: 10.95 CFS**

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 289.00
***Source Name:** BIG HOLE RIVER
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESEW	11	4S	7W	MADISON

Diversion Means: HEADGATE
Ditch Name: OWSLEY SLOUGH

OWSLEY SLOUGH IS USED AS A NATURAL CARRIER TO CONVEY WATER DIVERTED FROM BIG HOLE RIVER TO SECONDARY DIVERSIONS IN THE SWNESE, NESWSE SEC 32 AND NWSWSW SEC 33 TWP 3S RGE 6W, MADISON COUNTY.

Period of Use: MAY 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	48.00		S2	28	3S	6W	MADISON
2	90.00		E2E2	32	3S	6W	MADISON
3	6.00		NWNE	33	3S	6W	MADISON
4	130.00		NW	33	3S	6W	MADISON
5	15.00		N2NWSW	33	3S	6W	MADISON
Total:	289.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

103742-00 103743-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/09/1995: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103743-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

COLWELL, FRANK TRUST
FRANK COLWELL, TRUSTEE
128 INDIAN CREEK RD
SHERIDAN, MT 59749

HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: SEPTEMBER 2, 1890

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate: 10.95 CFS**

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 289.00
*Source Name: BIG HOLE RIVER
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESESW	11	4S	7W	MADISON

Diversion Means: HEADGATE
Ditch Name: OWSLEY SLOUGH
Period of Use: MAY 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	48.00		S2	28	3S	6W	MADISON
2	90.00		E2E2	32	3S	6W	MADISON
3	6.00		NWNE	33	3S	6W	MADISON
4	130.00		NW	33	3S	6W	MADISON
5	15.00		N2NWSW	33	3S	6W	MADISON
Total:	289.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

103742-00 103743-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/09/1995: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 29064-00, 195086-00, 195091-00, 103743-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103744-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635

***Priority Date:** DECEMBER 31, 1950

Type of Historical Right: FILED

Purpose(use): DOMESTIC

Flow Rate: 25.00 GPM

Volume: 2.00 AC-FT

Households: 1

Maximum Acres: 2.00

***Source Name:** GROUNDWATER

Source Type: GROUNDWATER
ALSO KNOWN AS BUNK HOUSE WELL

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWSE	28	3S	6W	MADISON

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.00		NWNWSE	28	3S	6W	MADISON

Total: 2.00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 103745-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635

***Priority Date:** DECEMBER 31, 1950

Type of Historical Right: FILED

Purpose(use): DOMESTIC

Flow Rate: 50.00 GPM

Volume: 5.00 AC-FT

Households: 1

Maximum Acres: 2.00

***Source Name:** GROUNDWATER

Source Type: GROUNDWATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWSE	28	3S	6W	MADISON

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.00		NWNWSE	28	3S	6W	MADISON

Total: 2.00

Remarks:

REPLACEMENT WELL - AUTHORIZATION TO CHANGE ISSUED 04/29/1982. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE UPDATED IN THE CENTRALIZED RECORDS SYSTEM AFTER FINAL DECREE. SEE AUTHORIZATION TO CHANGE NO. 103745-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE EXCEEDS THE 35 GPM GUIDELINE FOR THIS PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110615-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: APRIL 1, 1972

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BULL CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS SHAFFNER SPRING NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWSW	12	6S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: SEPTEMBER 15 TO JUNE 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSWSW	12	6S	14W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

110615-00 110624-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE PRIORITY DATE MAY BE QUESTIONABLE. ACCORDING TO INFORMATION IN THE CLAIM FILE, IT APPEARS WATER FROM THE SOURCE WAS FIRST USED IN 1900.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110616-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: APRIL 1, 1972

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BULL CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS SHAFFNER SPRING NO. 3

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSW	14	6S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: SEPTEMBER 1 TO MAY 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENWSW	14	6S	14W	BEAVERHEAD

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE PRIORITY DATE MAY BE QUESTIONABLE. ACCORDING TO INFORMATION IN THE CLAIM FILE, IT APPEARS WATER FROM THE SOURCE WAS FIRST USED IN 1900.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110619-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: APRIL 1, 1972

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BULL CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS SHAFFNER SPRING NO. 4

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNW	16	6S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: SEPTEMBER 1 TO FEBRUARY 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSWNW	16	6S	14W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

110619-00 110626-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE PRIORITY DATE MAY BE QUESTIONABLE. ACCORDING TO INFORMATION IN THE CLAIM FILE, IT APPEARS WATER FROM THE SOURCE WAS FIRST USED IN 1900.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110620-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: APRIL 1, 1972

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF BULL CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS SHAFFNER SPRING NO. 1

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSW	11	6S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: NOVEMBER 1 TO JUNE 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESWSW	11	6S	14W	BEAVERHEAD

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE PRIORITY DATE MAY BE QUESTIONABLE. ACCORDING TO INFORMATION IN THE CLAIM FILE, IT APPEARS WATER FROM THE SOURCE WAS FIRST USED IN 1900.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110624-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: APRIL 1, 1972

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 5.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 250.00

Source Name: SPRING, UNNAMED TRIBUTARY OF BULL CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS SHAFFNER SPRING NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWSW	12	6S	14W	BEAVERHEAD

Diversion Means: DITCH

Period of Use: MAY 1 TO AUGUST 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	5.00		SWNWNE	14	6S	14W	BEAVERHEAD
2	15.00		S2NENW	14	6S	14W	BEAVERHEAD
3	10.00		N2SWNW	14	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	20.00		SENE	15	6S	14W	BEAVERHEAD
5	20.00		NWSE	15	6S	14W	BEAVERHEAD
6	40.00		NESW	15	6S	14W	BEAVERHEAD
7	40.00		NWSW	15	6S	14W	BEAVERHEAD
8	20.00		N2SESW	15	6S	14W	BEAVERHEAD
9	20.00		N2SWSW	15	6S	14W	BEAVERHEAD
10	30.00		NESE	16	6S	14W	BEAVERHEAD
11	20.00		NENWSE	16	6S	14W	BEAVERHEAD
12	10.00		NESESE	16	6S	14W	BEAVERHEAD
Total:	250.00						

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

110615-00 110624-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/12/1993: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

IT IS UNCLEAR HOW WATER FROM SHAFFNER SPRING NO. 2 IS CONVEYED TO THE PLACE OF USE. THE SPRING AND THE CLAIMED CONVEYANCE FACILITY APPEAR TO BE IN DIFFERENT SECTIONS.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

AN AMENDMENT INCREASING THE PLACE OF USE AND ACREAGE FROM 143.0 ACRES TO 250.0 ACRES DID NOT INCLUDE A MAP. THE CLAIMED PLACE OF USE CANNOT BE DETERMINED FROM THE INFORMATION IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. ACCORDING TO INFORMATION IN THE CLAIM FILE, IT APPEARS WATER FROM THE SOURCE WAS FIRST USED IN 1900.

THE WATER RIGHTS FOLLOWING THIS STATEMENT MAY BE SUPPLEMENTAL WHICH MEANS THE RIGHTS MAY HAVE OVERLAPPING PLACES OF USE. DUE TO MANY FACTORS, THE CLAIMED PLACE OF USE COULD NOT BE DETERMINED WITH ANY ACCURACY. 110624-00, 110625-00, 110628-00, 110630-00, 110631-00, 110635-00, 110636-00, 110639-00, 110640-00, 110641-00, 110644-00, 110646-00, 110647-00, 110648-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110625-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: APRIL 1, 1972

Type of Historical Right: USE

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 1.25 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 55.00

Source Name: SPRING, UNNAMED TRIBUTARY OF BULL CREEK
Source Type: SURFACE WATER
ALSO KNOWN AS SHAFFNER SPRING NO. 5

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWSW	12	6S	14W	BEAVERHEAD

Diversion Means: DITCH

Period of Use: APRIL 1 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	10.00		SENESE	11	6S	14W	BEAVERHEAD
2	15.00		W2SESE	11	6S	14W	BEAVERHEAD
3	10.00		SESWSE	11	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	15.00		N2N	WNE 14	6S	14W	BEAVERHEAD
5	5.00		NEN	ENW 14	6S	14W	BEAVERHEAD
Total:	55.00						

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

110625-00 110643-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE CLAIMED PLACE OF USE AND ACRES IRRIGATED COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

IT APPEARS POINT OF DIVERSION NO. 1 MAY BE INCORRECT. THE EXISTENCE OF A DIVERSION FACILITY AND CONVEYANCE DITCH CANNOT BE CONFIRMED FROM AVAILABLE DATA.

THE PRIORITY DATE MAY BE QUESTIONABLE. ACCORDING TO INFORMATION IN THE CLAIM FILE, IT APPEARS WATER FROM THE SOURCE WAS FIRST USED IN 1900.

THE WATER RIGHTS FOLLOWING THIS STATEMENT MAY BE SUPPLEMENTAL WHICH MEANS THE RIGHTS MAY HAVE OVERLAPPING PLACES OF USE. DUE TO MANY FACTORS, THE CLAIMED PLACE OF USE COULD NOT BE DETERMINED WITH ANY ACCURACY. 110624-00, 110625-00, 110628-00, 110630-00, 110631-00, 110635-00, 110636-00, 110639-00, 110640-00, 110641-00, 110644-00, 110646-00, 110647-00, 110648-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110626-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: APRIL 1, 1972

Type of Historical Right: USE

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 1.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 54.00

Source Name: SPRING, UNNAMED TRIBUTARY OF BULL CREEK
Source Type: SURFACE WATER
ALSO KNOWN AS SHAFFNER SPRING NO. 4

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWN	16	6S	14W	BEAVERHEAD

Diversion Means: DITCH

Period of Use: MAY 1 TO AUGUST 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00		NENW	16	6S	14W	BEAVERHEAD
2	7.00		NWNW	16	6S	14W	BEAVERHEAD
3	5.00		SEnw	16	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	22.00		SWNW	16	6S	14W	BEAVERHEAD
Total:	54.00						

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

110619-00 110626-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

IT IS UNCLEAR HOW WATER FROM SHAFFNER SPRING NO. 4 IS CONVEYED TO THE PLACE OF USE. THE CLAIMED CONVEYANCE COULD NOT BE DETERMINED FROM INFORMATION IN THE CLAIM FILE.

THE CLAIMED PLACE OF USE AND ACRES IRRIGATED COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

THE PRIORITY DATE MAY BE QUESTIONABLE. ACCORDING TO INFORMATION IN THE CLAIM FILE, IT APPEARS WATER FROM THE SOURCE WAS FIRST USED IN 1900.

THE WATER RIGHTS FOLLOWING THIS STATEMENT MAY BE SUPPLEMENTAL WHICH MEANS THE RIGHTS MAY HAVE OVERLAPPING PLACES OF USE. DUE TO MANY FACTORS, THE CLAIMED PLACE OF USE COULD NOT BE DETERMINED WITH ANY ACCURACY. 110626-00, 110642-00, 110649-00, 110650-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110628-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: JUNE 1, 1898

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 192.98 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 35.00

Source Name: COW CABIN CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENESE	15	6S	14W	BEAVERHEAD

Diversion Means: DITCH
Ditch Name: CARROLL DITCH NO. 2

Period of Use: MAY 1 TO AUGUST 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	10.00		S2NESE	15	6S	14W	BEAVERHEAD
2	10.00		SENWSE	15	6S	14W	BEAVERHEAD
3	5.00		NWSESE	15	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	10.00		NESWSE	15	6S	14W	BEAVERHEAD
Total:	35.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED CONVEYANCE DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.

THE CLAIMED PLACE OF USE AND ACRES IRRIGATED COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

THE POINT OF DIVERSION APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE NWNES SEC 15 TWP 06S RGE 14W BEAVERHEAD COUNTY.

THE WATER RIGHTS FOLLOWING THIS STATEMENT MAY BE SUPPLEMENTAL WHICH MEANS THE RIGHTS MAY HAVE OVERLAPPING PLACES OF USE. DUE TO MANY FACTORS, THE CLAIMED PLACE OF USE COULD NOT BE DETERMINED WITH ANY ACCURACY. 110624-00, 110625-00, 110628-00, 110630-00, 110631-00, 110635-00, 110636-00, 110639-00, 110640-00, 110641-00, 110644-00, 110646-00, 110647-00, 110648-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110630-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: MAY 28, 1897

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 7.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 363.00

Source Name: BULL CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		SEN	WNW	1	6S	14W	BEAVERHEAD

Diversion Means: DITCH

Ditch Name: CARROLL DITCH NO. 1

Period of Use: MAY 1 TO AUGUST 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	16.00		W2	SENW	12	6S	14W	BEAVERHEAD
2	35.00			SW	12	6S	14W	BEAVERHEAD
3	20.00			NWNW	13	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	90.00		NE	14	6S	14W	BEAVERHEAD
5	70.00		NW	14	6S	14W	BEAVERHEAD
6	40.00		SW	14	6S	14W	BEAVERHEAD
7	10.00		SESE	15	6S	14W	BEAVERHEAD
8	2.00		SWSWSW	15	6S	14W	BEAVERHEAD
9	15.00		SESE	16	6S	14W	BEAVERHEAD
10	25.00		NENE	21	6S	14W	BEAVERHEAD
11	40.00		NWNW	22	6S	14W	BEAVERHEAD
Total:	363.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 879-249 , DATED 09/18/1979 , APPEARS TO INDICATE 335.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 8FF-47, CXM 8FF-64 , DATED 08/17/1965 , APPEARS TO INDICATE 322.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE POINT OF DIVERSION APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE NENWSW SEC 1 TWP 06S RGE 14W BEAVERHEAD COUNTY.

THE WATER RIGHTS FOLLOWING THIS STATEMENT MAY BE SUPPLEMENTAL WHICH MEANS THE RIGHTS MAY HAVE OVERLAPPING PLACES OF USE. DUE TO MANY FACTORS, THE CLAIMED PLACE OF USE COULD NOT BE DETERMINED WITH ANY ACCURACY. 110624-00, 110625-00, 110628-00, 110630-00, 110631-00, 110635-00, 110636-00, 110639-00, 110640-00, 110641-00, 110644-00, 110646-00, 110647-00, 110648-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110631-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: MAY 1, 1913

Type of Historical Right: FILED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 8.75 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 300.00

Source Name: UNNAMED TRIBUTARY OF BULL CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS CARROLL CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNW	21	6S	14W	BEAVERHEAD
	Diversion Means:	DIKE				
2		SWNWNW	21	6S	14W	BEAVERHEAD
	Diversion Means:	DIKE				
3		SWNENW	29	6S	14W	BEAVERHEAD
	Diversion Means:	DIKE				

Period of Use: MAY 1 TO AUGUST 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.00		NWSWNE	16	6S	14W	BEAVERHEAD
2	10.00		NESENW	16	6S	14W	BEAVERHEAD
3	5.00		NWSENW	16	6S	14W	BEAVERHEAD
4	20.00		S2SENW	16	6S	14W	BEAVERHEAD
5	6.00		SESWNW	16	6S	14W	BEAVERHEAD
6	40.00		NWSE	16	6S	14W	BEAVERHEAD
7	40.00		SWSE	16	6S	14W	BEAVERHEAD
8	40.00		NESW	16	6S	14W	BEAVERHEAD
9	20.00		E2NWSW	16	6S	14W	BEAVERHEAD
10	5.00		W2NWSW	16	6S	14W	BEAVERHEAD
11	40.00		SESW	16	6S	14W	BEAVERHEAD
12	20.00		E2SWSW	16	6S	14W	BEAVERHEAD
13	5.00		W2SWSW	16	6S	14W	BEAVERHEAD
14	2.00		NWNENE	21	6S	14W	BEAVERHEAD
15	5.00		SWNENE	21	6S	14W	BEAVERHEAD
16	40.00		NWNE	21	6S	14W	BEAVERHEAD
Total:	300.00						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/12/1993: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PLACE OF USE AND ACRES IRRIGATED COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

IT APPEARS THE POINT OF DIVERSION MAY BE INCORRECT. THE EXISTENCE OF A DIVERSION FACILITY AND CONVEYANCE DITCH CANNOT BE CONFIRMED FROM AVAILABLE DATA.

THE TYPE OF HISTORICAL RIGHT MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THE CLAIM INDICATES A USE RIGHT.

THE WATER RIGHTS FOLLOWING THIS STATEMENT MAY BE SUPPLEMENTAL WHICH MEANS THE RIGHTS MAY HAVE OVERLAPPING PLACES OF USE. DUE TO MANY FACTORS, THE CLAIMED PLACE OF USE COULD NOT BE DETERMINED WITH ANY ACCURACY. 110624-00, 110625-00, 110628-00, 110630-00, 110631-00, 110635-00, 110636-00, 110639-00, 110640-00, 110641-00, 110644-00, 110646-00, 110647-00, 110648-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

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Water Right Number: 41D 110632-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: JUNE 1, 1905

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 58.34 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 5.00

Source Name: COW CABIN CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSW	14	6S	14W	BEAVERHEAD

Diversion Means: DITCH
Ditch Name: CARROLL DITCH NO. 3

Period of Use: MAY 1 TO AUGUST 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	5.00		NESWSW	14	6S	14W	BEAVERHEAD

Total: 5.00

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PLACE OF USE AND ACRES IRRIGATED COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

IT APPEARS POINT OF DIVERSION NO. 1 MAY BE INCORRECT. THE EXISTENCE OF A DIVERSION FACILITY AND CONVEYANCE DITCH CANNOT BE CONFIRMED FROM AVAILABLE DATA.

THE WATER RIGHTS FOLLOWING THIS STATEMENT MAY BE SUPPLEMENTAL WHICH MEANS THE RIGHTS MAY HAVE OVERLAPPING PLACES OF USE. DUE TO MANY FACTORS, THE CLAIMED PLACE OF USE COULD NOT BE DETERMINED WITH ANY ACCURACY. 110632-00, 110633-00, 110638-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110633-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: JUNE 1, 1898

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 112.20 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 32.00

Source Name: COW CABIN CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSW	14	6S	14W	BEAVERHEAD

Diversion Means: DITCH

Ditch Name: CARROLL DITCH NO. 4

Period of Use: MAY 1 TO AUGUST 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	5.00		SWNWSW	14	6S	14W	BEAVERHEAD
2	12.00		S2SENE	15	6S	14W	BEAVERHEAD
3	15.00		NESE	15	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	32.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PLACE OF USE AND ACRES IRRIGATED COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

IT APPEARS POINT OF DIVERSION NO. 1 MAY BE INCORRECT. THE EXISTENCE OF A DIVERSION FACILITY AND CONVEYANCE DITCH CANNOT BE CONFIRMED FROM AVAILABLE DATA.

THE WATER RIGHTS FOLLOWING THIS STATEMENT MAY BE SUPPLEMENTAL WHICH MEANS THE RIGHTS MAY HAVE OVERLAPPING PLACES OF USE. DUE TO MANY FACTORS, THE CLAIMED PLACE OF USE COULD NOT BE DETERMINED WITH ANY ACCURACY. 110632-00, 110633-00, 110638-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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Water Right Number: 41D 110634-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: JULY 1, 1897

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 192.98 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 17.00

Source Name: COW CABIN CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSESW	14	6S	14W	BEAVERHEAD

Diversion Means: DITCH

Ditch Name: CARROLL DITCH NO. 5

Period of Use: MAY 1 TO AUGUST 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	6.00		N2NESW	14	6S	14W	BEAVERHEAD
2	1.00		SENESEW	14	6S	14W	BEAVERHEAD
3	10.00		SWNESEW	14	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	17.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 879-249 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

IT APPEARS POINT OF DIVERSION NO. 1 MAY BE INCORRECT. THE EXISTENCE OF A DIVERSION FACILITY AND CONVEYANCE DITCH CANNOT BE CONFIRMED FROM AVAILABLE DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110635-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: MAY 28, 1897

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 112.20 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 13.00

***Source Name:** BULL CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWSW	12	6S	14W	BEAVERHEAD

Diversion Means: DITCH
Ditch Name: CARROLL DITCH NO. 6

Period of Use: MAY 1 TO AUGUST 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	4.00		SESESE	11	6S	14W	BEAVERHEAD
2	7.00		W2W2SW	12	6S	14W	BEAVERHEAD
3	2.00		NENENE	14	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:		13.00						

Remarks:

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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110636-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: MAY 28, 1897

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 75.00

***Source Name:** BULL CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSENE	12	6S	14W	BEAVERHEAD

Diversion Means: DITCH

Ditch Name: CARROLL DITCH NO. 7

Period of Use: MAY 1 TO AUGUST 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	8.00		NESESE	11	6S	14W	BEAVERHEAD
2	5.00		SESESE	11	6S	14W	BEAVERHEAD
3	2.00		SWSESE	11	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	8.00		N2N	12	6S	14W	BEAVERHEAD
5	10.00		S2N	12	6S	14W	BEAVERHEAD
6	5.00		NWS	12	6S	14W	BEAVERHEAD
7	2.00		NWN	14	6S	14W	BEAVERHEAD
8	20.00		N2N	14	6S	14W	BEAVERHEAD
9	15.00		NEN	14	6S	14W	BEAVERHEAD
Total:	75.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS FOLLOWING THIS STATEMENT MAY BE SUPPLEMENTAL WHICH MEANS THE RIGHTS MAY HAVE OVERLAPPING PLACES OF USE. DUE TO MANY FACTORS, THE CLAIMED PLACE OF USE COULD NOT BE DETERMINED WITH ANY ACCURACY. 110624-00, 110625-00, 110628-00, 110630-00, 110631-00, 110635-00, 110636-00, 110639-00, 110640-00, 110641-00, 110644-00, 110646-00, 110647-00, 110648-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110637-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: MAY 28, 1897

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 291.72 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 24.00

Source Name: BULL CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNENW	14	6S	14W	BEAVERHEAD

Diversion Means: DITCH

Ditch Name: CARROLL DITCH NO. 11

Period of Use: MAY 1 TO AUGUST 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	10.00		S2NWNW	14	6S	14W	BEAVERHEAD
2	2.00		NWSWNW	14	6S	14W	BEAVERHEAD
3	2.00		SENE	15	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	10.00		N2SENE	15	6S	14W	BEAVERHEAD
Total:	24.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PLACE OF USE AND ACRES IRRIGATED COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

IT APPEARS POINT OF DIVERSION NO. 1 MAY BE INCORRECT. THE EXISTENCE OF A DIVERSION FACILITY AND CONVEYANCE DITCH CANNOT BE CONFIRMED FROM AVAILABLE DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110638-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: JUNE 1, 1903

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 224.40 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 20.00

Source Name: COW CABIN CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSW	14	6S	14W	BEAVERHEAD

Diversion Means: DITCH
Ditch Name: CARROLL DITCH NO. 12

Period of Use: MAY 1 TO AUGUST 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	15.00		W2SWSW	14	6S	14W	BEAVERHEAD
2	5.00		SESESE	15	6S	14W	BEAVERHEAD
Total:	20.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PLACE OF USE AND ACRES IRRIGATED COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

IT APPEARS POINT OF DIVERSION NO. 1 MAY BE INCORRECT. THE EXISTENCE OF A DIVERSION FACILITY AND CONVEYANCE DITCH CANNOT BE CONFIRMED FROM AVAILABLE DATA.

THE WATER RIGHTS FOLLOWING THIS STATEMENT MAY BE SUPPLEMENTAL WHICH MEANS THE RIGHTS MAY HAVE OVERLAPPING PLACES OF USE. DUE TO MANY FACTORS, THE CLAIMED PLACE OF USE COULD NOT BE DETERMINED WITH ANY ACCURACY. 110632-00, 110633-00, 110638-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110639-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: JUNE 1, 1902

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.25 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 45.00

***Source Name:** UNNAMED TRIBUTARY OF BULL CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS NO NAME CREEK

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENWNE	22	6S	14W	BEAVERHEAD

Diversion Means: DITCH

Ditch Name: CARROLL DITCH NO. 13

Period of Use: MAY 1 TO AUGUST 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	10.00		SWNWSE	15	6S	14W	BEAVERHEAD
2	15.00		W2SWSE	15	6S	14W	BEAVERHEAD
3	20.00		SESW	15	6S	14W	BEAVERHEAD
Total:	45.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. USDA AERIAL PHOTOGRAPH NO(S). 879-249 , DATED 09/18/1979 , APPEARS TO INDICATE 28.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 8FF-64 , DATED 08/17/1965 , APPEARS TO INDICATE 28.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE WATER RIGHTS FOLLOWING THIS STATEMENT MAY BE SUPPLEMENTAL WHICH MEANS THE RIGHTS MAY HAVE OVERLAPPING PLACES OF USE. DUE TO MANY FACTORS, THE CLAIMED PLACE OF USE COULD NOT BE DETERMINED WITH ANY ACCURACY. 110624-00, 110625-00, 110628-00, 110630-00, 110631-00, 110635-00, 110636-00, 110639-00, 110640-00, 110641-00, 110644-00, 110646-00, 110647-00, 110648-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110640-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: MAY 15, 1902

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 192.98 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 13.00

***Source Name:** BULL CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNW	12	6S	14W	BEAVERHEAD

Diversion Means: DITCH

Ditch Name: CARROLL DITCH NO. 8

Period of Use: MAY 1 TO AUGUST 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.00		NESWNW	12	6S	14W	BEAVERHEAD
2	10.00		SESWNW	12	6S	14W	BEAVERHEAD
3	2.00		NENWSW	12	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	13.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 879-249 , DATED 09/18/1979 , APPEARS TO INDICATE 6.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 8FF-47 , DATED 08/17/1965 , APPEARS TO INDICATE 6.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE WATER RIGHTS FOLLOWING THIS STATEMENT MAY BE SUPPLEMENTAL WHICH MEANS THE RIGHTS MAY HAVE OVERLAPPING PLACES OF USE. DUE TO MANY FACTORS, THE CLAIMED PLACE OF USE COULD NOT BE DETERMINED WITH ANY ACCURACY. 110624-00, 110625-00, 110628-00, 110630-00, 110631-00, 110635-00, 110636-00, 110639-00, 110640-00, 110641-00, 110644-00, 110646-00, 110647-00, 110648-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110641-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: MAY 15, 1902

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 291.72 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 19.00

Source Name: BULL CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWSW	1	6S	14W	BEAVERHEAD

Diversion Means: DITCH

Ditch Name: CARROLL DITCH NO. 10

Period of Use: MAY 1 TO AUGUST 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	5.00		NESWNW	12	6S	14W	BEAVERHEAD
2	10.00		SESWNW	12	6S	14W	BEAVERHEAD
3	2.00		NENWSW	12	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	2.00		NWN	SW 12	6S	14W	BEAVERHEAD
Total:	19.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PLACE OF USE AND ACRES IRRIGATED COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

IT APPEARS POINT OF DIVERSION NO. 1 MAY BE INCORRECT. THE EXISTENCE OF A DIVERSION FACILITY AND CONVEYANCE DITCH CANNOT BE CONFIRMED FROM AVAILABLE DATA.

THE WATER RIGHTS FOLLOWING THIS STATEMENT MAY BE SUPPLEMENTAL WHICH MEANS THE RIGHTS MAY HAVE OVERLAPPING PLACES OF USE. DUE TO MANY FACTORS, THE CLAIMED PLACE OF USE COULD NOT BE DETERMINED WITH ANY ACCURACY. 110624-00, 110625-00, 110628-00, 110630-00, 110631-00, 110635-00, 110636-00, 110639-00, 110640-00, 110641-00, 110644-00, 110646-00, 110647-00, 110648-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110642-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: JUNE 1, 1899

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.75 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 48.00

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BULL CREEK

Source Type: SURFACE WATER

THE SOURCE IS WASTE WATER FROM LANDS OF THE BIG HOLE HERDING ASSOC. THE WASTE WATER IS COLLECTED IN WILLARD DITCH NO. 1.

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S	W	SW	16	6S 14W	BEAVERHEAD

Diversion Means: DITCH

Ditch Name: WILLARD DITCH NO. 1

Period of Use: MAY 1 TO AUGUST 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	8.00		NWSWNW	16	6S	14W	BEAVERHEAD
2	10.00		SWSWNW	16	6S	14W	BEAVERHEAD
3	15.00		W2NWSW	16	6S	14W	BEAVERHEAD
4	15.00		W2SWSW	16	6S	14W	BEAVERHEAD
Total:	48.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PLACE OF USE AND ACRES IRRIGATED COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

THE CLAIMED POINT OF DIVERSION MAY BE INCOMPLETE. IT APPEARS THERE SHOULD BE ADDITIONAL POINTS OF DIVERSION ON THE DRAIN DITCH WHICH COULD NOT BE IDENTIFIED FROM INFORMATION IN THE CLAIM FILE.

THE WATER RIGHTS FOLLOWING THIS STATEMENT MAY BE SUPPLEMENTAL WHICH MEANS THE RIGHTS MAY HAVE OVERLAPPING PLACES OF USE. DUE TO MANY FACTORS, THE CLAIMED PLACE OF USE COULD NOT BE DETERMINED WITH ANY ACCURACY. 110626-00, 110642-00, 110649-00, 110650-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110643-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: APRIL 1, 1972

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BULL CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS SHAFFNER SPRING NO. 5

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWSW	12	6S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: NOVEMBER 1 TO JUNE 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNWSW	12	6S	14W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

110625-00 110643-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PLACE OF USE COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

BASED ON INFORMATION IN MULTIPLE USE CLAIM 110625-00, THE POINT OF DIVERSION FOR SHAFFNER SPRING NO. 5 MAY BE INCORRECT. ADDITIONAL INFORMATION CONCERNING THE LOCATION COULD NOT BE OBTAINED FROM THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. ACCORDING TO INFORMATION IN THE CLAIM FILE, IT APPEARS WATER FROM THE SOURCE WAS FIRST USED IN 1900.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110644-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: MAY 30, 1903

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.25 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 363.00

Source Name: SMITH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESENW	1	6S	14W	BEAVERHEAD

Diversion Means: DITCH

Ditch Name: SMITH DITCH NO. 2

Period of Use: MAY 1 TO AUGUST 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	16.00		NW	12	6S	14W	BEAVERHEAD
2	35.00		SW	12	6S	14W	BEAVERHEAD
3	20.00		NWNW	13	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	90.00		NE	14	6S	14W	BEAVERHEAD
5	70.00		NW	14	6S	14W	BEAVERHEAD
6	40.00		SW	14	6S	14W	BEAVERHEAD
7	12.00		SESE	15	6S	14W	BEAVERHEAD
8	15.00		S2SESE	16	6S	14W	BEAVERHEAD
9	25.00		NENE	21	6S	14W	BEAVERHEAD
10	40.00		NWNW	22	6S	14W	BEAVERHEAD
Total:	363.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PLACE OF USE AND ACRES IRRIGATED COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

IT APPEARS POINT OF DIVERSION NO. 1 MAY BE INCORRECT. THE EXISTENCE OF A DIVERSION FACILITY AND CONVEYANCE DITCH CANNOT BE CONFIRMED FROM AVAILABLE DATA.

THE WATER RIGHTS FOLLOWING THIS STATEMENT MAY BE SUPPLEMENTAL WHICH MEANS THE RIGHTS MAY HAVE OVERLAPPING PLACES OF USE. DUE TO MANY FACTORS, THE CLAIMED PLACE OF USE COULD NOT BE DETERMINED WITH ANY ACCURACY. 110624-00, 110625-00, 110628-00, 110630-00, 110631-00, 110635-00, 110636-00, 110639-00, 110640-00, 110641-00, 110644-00, 110646-00, 110647-00, 110648-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110645-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: JUNE 1, 1907

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.50 CFS

ENTIRE FLOW OF THE SOURCE AS DECREED IN A PRIOR DECREE, CASE NO. 1514 , BEAVERHEAD COUNTY.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 90.00

Source Name: UNNAMED TRIBUTARY OF BULL CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS HAYES CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWSW	11	6S	14W	BEAVERHEAD

Diversion Means: DIKE

Period of Use: APRIL 1 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>		
1	5.00		NE	SE	SE	10	6S	14W	BEAVERHEAD	
2	10.00		SE	SE	SE	10	6S	14W	BEAVERHEAD	
3	5.00		SW	SE	SE	10	6S	14W	BEAVERHEAD	
4	5.00		SW	N	SW	11	6S	14W	BEAVERHEAD	
5	20.00		W	2	S	SW	11	6S	14W	BEAVERHEAD
6	10.00		N	W	N	W	14	6S	14W	BEAVERHEAD
7	20.00		N	2	N	E	15	6S	14W	BEAVERHEAD
8	15.00		S	2	N	E	15	6S	14W	BEAVERHEAD
Total:	90.00									

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PLACE OF USE AND ACRES IRRIGATED COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

IT APPEARS POINT OF DIVERSION NO. 1 MAY BE INCORRECT. THE EXISTENCE OF A DIVERSION FACILITY AND CONVEYANCE DITCH CANNOT BE CONFIRMED FROM AVAILABLE DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110646-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: MAY 28, 1897

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 2.38 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 130.00

***Source Name:** BULL CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNE	15	6S	14W	BEAVERHEAD

Diversion Means: DITCH
Ditch Name: WILLARD DITCH NO. 2

Period of Use: MAY 1 TO AUGUST 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	10.00		NWNWSE	15	6S	14W	BEAVERHEAD
2	10.00		N2NESW	15	6S	14W	BEAVERHEAD
3	10.00		S2NESW	15	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	10.00		N2N	SW 15	6S	14W	BEAVERHEAD
5	6.00		S2N	SW 15	6S	14W	BEAVERHEAD
6	10.00		S	WSENE 16	6S	14W	BEAVERHEAD
7	10.00		N	WSWNE 16	6S	14W	BEAVERHEAD
8	10.00		S	ESWNE 16	6S	14W	BEAVERHEAD
9	29.00			NENW 16	6S	14W	BEAVERHEAD
10	10.00		S	ENENW 16	6S	14W	BEAVERHEAD
11	15.00		N	2NESE 16	6S	14W	BEAVERHEAD
Total:	130.00						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/01/1993: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. AN AMENDMENT INCREASING THE PLACE OF USE AND ACREAGE FROM 85.0 ACRES TO 130.0 ACRES DID NOT INCLUDE A MAP. THE CLAIMED PLACE OF USE CANNOT BE DETERMINED FROM INFORMATION IN THE CLAIM FILE.

THE WATER RIGHTS FOLLOWING THIS STATEMENT MAY BE SUPPLEMENTAL WHICH MEANS THE RIGHTS MAY HAVE OVERLAPPING PLACES OF USE. DUE TO MANY FACTORS, THE CLAIMED PLACE OF USE COULD NOT BE DETERMINED WITH ANY ACCURACY. 110624-00, 110625-00, 110628-00, 110630-00, 110631-00, 110635-00, 110636-00, 110639-00, 110640-00, 110641-00, 110644-00, 110646-00, 110647-00, 110648-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110647-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: JUNE 2, 1898

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 2.80 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 102.00

Source Name: COW CABIN CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSW	14	6S	14W	BEAVERHEAD

Diversion Means: DITCH
Ditch Name: WILLARD DITCH NO. 3

Period of Use: MAY 1 TO AUGUST 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	5.00		NWSWSW	14	6S	14W	BEAVERHEAD
2	20.00		SESE	15	6S	14W	BEAVERHEAD
3	20.00		S2SWSE	15	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	20.00		S2	SESW	15	6S 14W	BEAVERHEAD
5	10.00		SE	SWSW	15	6S 14W	BEAVERHEAD
6	10.00		W2	SWSW	15	6S 14W	BEAVERHEAD
7	12.00		E2	SESE	16	6S 14W	BEAVERHEAD
8	5.00		NW	SESE	16	6S 14W	BEAVERHEAD
Total:	102.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 879-249 , DATED 09/18/1979 , APPEARS TO INDICATE 71.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 8FF-64 , DATED 08/17/1965 , APPEARS TO INDICATE 77.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE WATER RIGHTS FOLLOWING THIS STATEMENT MAY BE SUPPLEMENTAL WHICH MEANS THE RIGHTS MAY HAVE OVERLAPPING PLACES OF USE. DUE TO MANY FACTORS, THE CLAIMED PLACE OF USE COULD NOT BE DETERMINED WITH ANY ACCURACY. 110624-00, 110625-00, 110628-00, 110630-00, 110631-00, 110635-00, 110636-00, 110639-00, 110640-00, 110641-00, 110644-00, 110646-00, 110647-00, 110648-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110648-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: MAY 28, 1897

Type of Historical Right: DECREE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 3.33 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 143.00

***Source Name:** BULL CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNE	14	6S	14W	BEAVERHEAD

Diversion Means: DITCH

Ditch Name: WILLARD DITCH NO. 4

Period of Use: MAY 1 TO AUGUST 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	5.00		SWNWNE	14	6S	14W	BEAVERHEAD
2	12.00		S2NENW	14	6S	14W	BEAVERHEAD
3	10.00		N2SWNW	14	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	12.00		SENE	15	6S	14W	BEAVERHEAD
5	15.00		NWSE	15	6S	14W	BEAVERHEAD
6	15.00		S2NESW	15	6S	14W	BEAVERHEAD
7	10.00		S2NWSW	15	6S	14W	BEAVERHEAD
8	20.00		N2SESW	15	6S	14W	BEAVERHEAD
9	18.00		N2SWSW	15	6S	14W	BEAVERHEAD
10	18.00		NESE	16	6S	14W	BEAVERHEAD
11	5.00		NENWSE	16	6S	14W	BEAVERHEAD
12	3.00		NESESE	16	6S	14W	BEAVERHEAD
Total:	143.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PLACE OF USE AND ACRES IRRIGATED COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

THE WATER RIGHTS FOLLOWING THIS STATEMENT MAY BE SUPPLEMENTAL WHICH MEANS THE RIGHTS MAY HAVE OVERLAPPING PLACES OF USE. DUE TO MANY FACTORS, THE CLAIMED PLACE OF USE COULD NOT BE DETERMINED WITH ANY ACCURACY. 110624-00, 110625-00, 110628-00, 110630-00, 110631-00, 110635-00, 110636-00, 110639-00, 110640-00, 110641-00, 110644-00, 110646-00, 110647-00, 110648-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110649-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: JULY 1, 1905

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 29.00

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF GOVERNOR CREEK

Source Type: SURFACE WATER

THE SOURCE IS WASTE WATER FROM LANDS KNOWN AS OTTO CRONWELL'S RANCH. THE WASTE WATER IS COLLECTED IN SODERGREN DITCH NO. 1.

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNW	16	6S	14W	BEAVERHEAD

Diversion Means: DITCH

Ditch Name: SODERGREN DITCH NO. 1

Period of Use: MAY 1 TO AUGUST 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	5.00		NENWNW	16	6S	14W	BEAVERHEAD
2	10.00		NWNWNW	16	6S	14W	BEAVERHEAD
3	4.00		SENWNW	16	6S	14W	BEAVERHEAD
4	10.00		SWNWNW	16	6S	14W	BEAVERHEAD
Total:	29.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 40 MINER'S INCHES DECREED IN CASE NO. 1514 , BEAVERHEAD COUNTY. 92838-00, 110649-00.

THE CLAIMED PLACE OF USE AND ACRES IRRIGATED COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

THE CLAIMED POINT OF DIVERSION MAY BE INCOMPLETE. IT APPEARS THERE SHOULD BE ADDITIONAL POINTS OF DIVERSION ON THE DRAIN DITCH WHICH COULD NOT BE IDENTIFIED FROM INFORMATION IN THE CLAIM FILE.

THE WATER RIGHTS FOLLOWING THIS STATEMENT MAY BE SUPPLEMENTAL WHICH MEANS THE RIGHTS MAY HAVE OVERLAPPING PLACES OF USE. DUE TO MANY FACTORS, THE CLAIMED PLACE OF USE COULD NOT BE DETERMINED WITH ANY ACCURACY. 110626-00, 110642-00, 110649-00, 110650-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110650-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAMILTON FARMS
PO BOX 447
TWIN BRIDGES, MT 59754 0447

Priority Date: JUNE 1, 1901

Type of Historical Right: DECREEED

***Purpose(use):** IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 224.40 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 54.00

Source Name: UNNAMED TRIBUTARY OF BULL CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWNW	16	6S	14W	BEAVERHEAD

Diversion Means: DITCH

Ditch Name: SODERGREN DITCH NO. 6

Period of Use: MAY 1 TO AUGUST 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00		NENW	16	6S	14W	BEAVERHEAD
2	7.00		NWNW	16	6S	14W	BEAVERHEAD
3	5.00		SENW	16	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	22.00		SWNW	16	6S	14W	BEAVERHEAD
Total:	54.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 20 MINER'S INCHES DECREED IN CASE NO. 1514 , BEAVERHEAD COUNTY. 92837-00, 110650-00.

THE CLAIMED PLACE OF USE AND ACRES IRRIGATED COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

IT APPEARS POINT OF DIVERSION NO. 1 MAY BE INCORRECT. THE EXISTENCE OF A DIVERSION FACILITY AND CONVEYANCE DITCH CANNOT BE CONFIRMED FROM AVAILABLE DATA.

THE WATER RIGHTS FOLLOWING THIS STATEMENT MAY BE SUPPLEMENTAL WHICH MEANS THE RIGHTS MAY HAVE OVERLAPPING PLACES OF USE. DUE TO MANY FACTORS, THE CLAIMED PLACE OF USE COULD NOT BE DETERMINED WITH ANY ACCURACY. 110626-00, 110642-00, 110649-00, 110650-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110676-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: WILLARD F LOVELL
21 WATHENA DR
BUTTE, MT 59701 3179

Priority Date: APRIL 1, 1945

Type of Historical Right: FILED

***Purpose(use):** MULTIPLE DOMESTIC

Flow Rate: 20.00 GPM

Volume: 3.00 AC-FT

Households: 2

Maximum Acres: 1.00

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWSE	34		1N	11W	BEAVERHEAD

Diversion Means: WELL

Subdivision: WISE RIVER ORIGINAL TOWNSITE TRACT/LOT: 22

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.00		SENWSE	34	1N	11W	BEAVERHEAD

Subdivision: WISE RIVER ORIGINAL TOWNSITE TRACT/LOT: 22

Total: 1.00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110677-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: WILLARD F LOVELL
21 WATHENA DR
BUTTE, MT 59701 3179

Priority Date: AUGUST 30, 1890

THIS RIGHT, PURSUANT TO CASE 4100, BEAVERHEAD COUNTY, IS SUBSEQUENT TO THE RIGHTS DECREED IN CASE 2627, REGARDLESS OF PRIORITY DATE. THOSE WATER RIGHTS FROM CASE 2627 ARE: 1080-00, 27459-00, 27460-00, 41591-00, 41592-00, 92794-00, 92891-00, 93193-00, 93194-00, 93195-00, 93820-00, 93821-00, 93822-00, 93823-00, 93824-00, 93825-00, 182379-00.

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 11.22 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 1.00

Source Name: WISE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNW	3	1S	11W	BEAVERHEAD

Diversion Means: HEADGATE

Subdivision: WISE RIVER ORIGINAL TOWNSITE

Period of Use: MAY 1 TO DECEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.00		SENWSE	34	1N	11W	BEAVERHEAD
	<u>Subdivision:</u>	WISE RIVER ORIGINAL TOWNSITE TRACT/LOT: 22					
Total:	1.00						

Remarks:

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 07/13/1999.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 400 MINER'S INCHES DECREED IN CASE NO. 4101 , BEAVERHEAD COUNTY. 27450-00, 27451-00, 93828-00, 110677-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110680-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: ALICE T OLSEN
460 S 400 E STE 6
BOUNTIFUL, UT 84010 4944

CANDLAND L OLSEN
460 S 400 E STE 6
BOUNTIFUL, UT 84010 4944

Priority Date: JUNE 1, 1916

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 2.77 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 73.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNW	17	7S	15W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: VAN HOUTEN DITCH

Period of Use: APRIL 15 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.25		NWNWSE	8	7S	15W	BEAVERHEAD
2	6.50		NWNESW	8	7S	15W	BEAVERHEAD
3	11.50		S2NESW	8	7S	15W	BEAVERHEAD
4	1.25		SENWSW	8	7S	15W	BEAVERHEAD
5	18.50		W2SESW	8	7S	15W	BEAVERHEAD
6	11.50		E2SWSW	8	7S	15W	BEAVERHEAD
7	9.50		W2NENW	17	7S	15W	BEAVERHEAD
8	13.00		E2NWNW	17	7S	15W	BEAVERHEAD
Total:	73.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

110680-00 110681-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/13/1996: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/08/2001: MAXIMUM ACRES, PLACE OF USE, TYPE OF HISTORICAL RIGHT.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110681-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: ALICE T OLSEN
460 S 400 E STE 6
BOUNTIFUL, UT 84010 4944

CANDLAND L OLSEN
460 S 400 E STE 6
BOUNTIFUL, UT 84010 4944

Priority Date: JUNE 1, 1914

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 5.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 159.40

***Source Name:** JAHNKE CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNESE	24	7S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: JAHNKE DITCH

WATER DIVERTED FROM JAHNKE CREEK IS CONVEYED TO BIG HOLE RIVER WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POINT OF DIVERSION IN THE NWSWNW SEC 17 TWP 7S RGE 15W BEAVERHEAD COUNTY.

THE TOWNSHIP IS UNSURVEYED. THE LEGAL LAND DESCRIPTION FOR THE POINT OF DIVERSION HAS BEEN ESTIMATED.

Period of Use: APRIL 15 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.25		NWNWSE	8	7S	15W	BEAVERHEAD
2	6.50		NWNESW	8	7S	15W	BEAVERHEAD
3	11.50		S2NESW	8	7S	15W	BEAVERHEAD
4	1.25		SENWSW	8	7S	15W	BEAVERHEAD
5	18.50		W2SESW	8	7S	15W	BEAVERHEAD
6	11.50		E2SWSW	8	7S	15W	BEAVERHEAD
7	9.50		W2NENW	17	7S	15W	BEAVERHEAD
8	13.00		E2NWNW	17	7S	15W	BEAVERHEAD
9	3.60		SWSENE	18	7S	15W	BEAVERHEAD
10	14.00		W2NESE	18	7S	15W	BEAVERHEAD
11	34.00		NWSE	18	7S	15W	BEAVERHEAD
12	3.00		NWSESE	18	7S	15W	BEAVERHEAD
13	14.50		N2SWSE	18	7S	15W	BEAVERHEAD
14	0.75		NENESW	18	7S	15W	BEAVERHEAD
15	0.75		SENESE	18	7S	15W	BEAVERHEAD
16	0.50		SESESW	18	7S	15W	BEAVERHEAD
17	5.00		SWSESW	18	7S	15W	BEAVERHEAD
18	1.50		SESWSW	18	7S	15W	BEAVERHEAD
19	4.00		SESENE	24	7S	16W	BEAVERHEAD
20	4.80		NENESE	24	7S	16W	BEAVERHEAD
Total:	159.40						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

110680-00 110681-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/13/1996: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/08/2001: MAXIMUM ACRES, PLACE OF USE, TYPE OF HISTORICAL RIGHT.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110713-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: DILTANA RANCH INC
1020 CARROLL LN
DILLON, MT 59725 8018

Priority Date: JUNE 1, 1900

Type of Historical Right: USE

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 4.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 160.00

Source Name: BIG SWAMP CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2NW	14	5S	16W	BEAVERHEAD
Diversion Means:	NATURAL OVERFLOW					
2		SWNE	15	5S	16W	BEAVERHEAD
Diversion Means:	NATURAL OVERFLOW					
3		NWNESE	15	5S	16W	BEAVERHEAD
Diversion Means:	NATURAL OVERFLOW					
4		NWSE	15	5S	16W	BEAVERHEAD
Diversion Means:	NATURAL OVERFLOW					

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5		NESW	15	5S	16W	BEAVERHEAD

Diversion Means: NATURAL OVERFLOW

Period of Use: APRIL 25 TO OCTOBER 5

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		S2NW	14	5S	16W	BEAVERHEAD
2	40.00		SWNE	15	5S	16W	BEAVERHEAD
3	10.00		NWNESE	15	5S	16W	BEAVERHEAD
4	30.00		NWSE	15	5S	16W	BEAVERHEAD
5	40.00		NESW	15	5S	16W	BEAVERHEAD
Total:	160.00						

Remarks:

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 09/12/1991.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. USDA AERIAL PHOTOGRAPH NO(S). 979-53 , DATED 09/19/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM 12P-112 , DATED 08/09/1955 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110714-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: DILTANA RANCH INC
1020 CARROLL LN
DILLON, MT 59725 8018

Priority Date: JUNE 1, 1900

Type of Historical Right: USE

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 1.25 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 50.00

Source Name: SPRING, UNNAMED TRIBUTARY OF SWAMP CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N2N2NW	22	5S	16W	BEAVERHEAD

Diversion Means: DITCH

Period of Use: APRIL 15 TO OCTOBER 9

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00		S2SESW	15	5S	16W	BEAVERHEAD
2	30.00		SWSW	15	5S	16W	BEAVERHEAD
Total:	50.00						

Remarks:

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 09/12/1991.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 110714-00, 4989-00.

USDA AERIAL PHOTOGRAPH NO(S). 979-53 , DATED 09/19/1979 , APPEARS TO INDICATE 6.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 12P-112 , DATED 08/09/1955 , APPEARS TO INDICATE 6.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

PART OF THE CLAIMED PLACE OF USE DOES NOT APPEAR TO BE IRRIGATED BY WATER FROM THE CLAIMED SOURCE.

THE CLAIMED POINT OF DIVERSION MAY BE INCOMPLETE. IT APPEARS THERE SHOULD BE ADDITIONAL POINTS OF DIVERSION ON THE SPRING WHICH COULD NOT BE IDENTIFIED FROM INFORMATION IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110725-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BAR SEVEN S RANCH
PO BOX 320062
GLEN, MT 59732 0062

Priority Date: MAY 1, 1891

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 224.40 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 948.00

Source Name: WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWNW	34	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: APRIL 15 TO NOVEMBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		SENW	25	4S	9W	BEAVERHEAD
2	80.00		W2NW	25	4S	9W	BEAVERHEAD
3	20.00		N2NWSW	25	4S	9W	BEAVERHEAD
4	6.00		S2NWSW	25	4S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5	75.00		E2NE	26	4S	9W	BEAVERHEAD
6	25.00		NWNE	26	4S	9W	BEAVERHEAD
7	4.00		NESWNE	26	4S	9W	BEAVERHEAD
8	280.00		S2	26	4S	9W	BEAVERHEAD
9	150.00		SE	27	4S	9W	BEAVERHEAD
10	15.00		E2SESW	27	4S	9W	BEAVERHEAD
11	15.00		E2SENE	33	4S	9W	BEAVERHEAD
12	30.00		NENE	34	4S	9W	BEAVERHEAD
13	8.00		E2NWNE	34	4S	9W	BEAVERHEAD
14	120.00		NW	34	4S	9W	BEAVERHEAD
15	80.00		N2N2	35	4S	9W	BEAVERHEAD
Total:	948.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

110725-00	110726-00	110727-00	110728-00	110729-00	110730-00	110731-00
110732-00	110733-00	110734-00	110735-00	110736-00	182360-00	92616-00
92617-00	92618-00	92619-00	92620-00	92634-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/05/1997: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

AERIAL PHOTOGRAPH NO(S). CXM 3FF-38 , DATED 08/01/1965 , APPEARS TO INDICATE 562.90 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110726-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: BAR SEVEN S RANCH
PO BOX 320062
GLEN, MT 59732 0062

Priority Date: MAY 15, 1903

Type of Historical Right: DECREE

Purpose(use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 1.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 948.00

Source Name: WILLOW CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSESW	33	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE
Ditch Name: JOY-BARBOUR DITCH NO. 6

Period of Use: APRIL 15 TO NOVEMBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		SENW	25	4S	9W	BEAVERHEAD
2	80.00		W2NW	25	4S	9W	BEAVERHEAD
3	20.00		N2NWSW	25	4S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	6.00		S2NWSW	25	4S	9W	BEAVERHEAD
5	75.00		E2NE	26	4S	9W	BEAVERHEAD
6	25.00		NWNE	26	4S	9W	BEAVERHEAD
7	4.00		NESWNE	26	4S	9W	BEAVERHEAD
8	280.00		S2	26	4S	9W	BEAVERHEAD
9	150.00		SE	27	4S	9W	BEAVERHEAD
10	15.00		E2SESW	27	4S	9W	BEAVERHEAD
11	15.00		E2SENE	33	4S	9W	BEAVERHEAD
12	30.00		NENE	34	4S	9W	BEAVERHEAD
13	8.00		E2NWNE	34	4S	9W	BEAVERHEAD
14	120.00		NW	34	4S	9W	BEAVERHEAD
15	80.00		N2N2	35	4S	9W	BEAVERHEAD
Total:	948.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

110725-00	110726-00	110727-00	110728-00	110729-00	110730-00	110731-00
110732-00	110733-00	110734-00	110735-00	110736-00	182360-00	92616-00
92617-00	92618-00	92619-00	92620-00	92634-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/05/1992: PLACE OF USE, MAXIMUM ACRES, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/29/1997: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

AERIAL PHOTOGRAPH NO(S). CXM-3FF-38 , DATED 08/01/1965 , APPEARS TO INDICATE 562.90 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110727-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

BAR SEVEN S RANCH
PO BOX 320062
GLEN, MT 59732 0062

CHARLOTTE F QUIST
PO BOX 109
DILLON, MT 59725 0109

VICTOR F NETTLES JR
PO BOX 109
DILLON, MT 59725 0109

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: APRIL 1, 1910

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 54.73 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 948.00

Source Name: WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSESW	33	4S	9W	BEAVERHEAD
	Diversion Means: HEADGATE					
	Ditch Name: JOY-BARBOUR DITCH NO. 6					
2		SESESW	27	4S	9W	BEAVERHEAD
	Diversion Means: HEADGATE					
	Ditch Name: H K P DITCH NO. 3					
3		NENWSE	33	4S	9W	BEAVERHEAD
	Diversion Means: HEADGATE					
	Ditch Name: BUYAN-POLISH DITCH					
4		NENWNW	34	4S	9W	BEAVERHEAD
	Diversion Means: HEADGATE					
	Ditch Name: BUYAN DITCH NO. 13					
5		SESENE	33	4S	9W	BEAVERHEAD
	Diversion Means: HEADGATE					
	Ditch Name: HAILS-BUYAN DITCH					
Period of Use:		JANUARY 1 TO DECEMBER 31				

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		SENW	25	4S	9W	BEAVERHEAD
2	80.00		W2NW	25	4S	9W	BEAVERHEAD
3	20.00		N2NWSW	25	4S	9W	BEAVERHEAD
4	6.00		S2NWSW	25	4S	9W	BEAVERHEAD
5	75.00		E2NE	26	4S	9W	BEAVERHEAD
6	25.00		NWNE	26	4S	9W	BEAVERHEAD
7	4.00		NESWNE	26	4S	9W	BEAVERHEAD
8	280.00		S2	26	4S	9W	BEAVERHEAD
9	150.00		SE	27	4S	9W	BEAVERHEAD
10	15.00		E2SESW	27	4S	9W	BEAVERHEAD
11	15.00		E2SENE	33	4S	9W	BEAVERHEAD
12	30.00		NENE	34	4S	9W	BEAVERHEAD
13	8.00		E2NWNE	34	4S	9W	BEAVERHEAD
14	120.00		NW	34	4S	9W	BEAVERHEAD
15	80.00		N2N2	35	4S	9W	BEAVERHEAD
Total:	948.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

110725-00	110726-00	110727-00	110728-00	110729-00	110730-00	110731-00
110732-00	110733-00	110734-00	110735-00	110736-00	182360-00	92616-00
92617-00	92618-00	92619-00	92620-00	92634-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/05/1992: PLACE OF USE, PERIOD OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/29/1997: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 26.00 GPM PER ACRE.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

AERIAL PHOTOGRAPH NO(S). CXM-3FF-38 , DATED 08/01/1965 , APPEARS TO INDICATE 562.90 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110728-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: BAR SEVEN S RANCH
PO BOX 320062
GLEN, MT 59732 0062

Priority Date: APRIL 1, 1910

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 5.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 100.00

Source Name: WILLOW CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNE	26	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		NENE	26	4S	9W	BEAVERHEAD
2	30.00		NWNE	26	4S	9W	BEAVERHEAD
3	30.00		SENE	26	4S	9W	BEAVERHEAD
Total:	100.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

110725-00	110726-00	110727-00	110728-00	110729-00	110730-00	110731-00
110732-00	110733-00	110734-00	110735-00	110736-00	182360-00	92616-00
92617-00	92618-00	92619-00	92620-00	92634-00		

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 02/05/1992.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 22.00 GPM PER ACRE. THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS. AERIAL PHOTOGRAPH NO(S). CXM-3FF-38 , DATED 08/01/1965 , APPEARS TO INDICATE 75.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110729-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: BAR SEVEN S RANCH
PO BOX 320062
GLEN, MT 59732 0062

Priority Date: APRIL 1, 1910

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 5.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 948.00

Source Name: WILLOW CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNENE	26	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		SENW	25	4S	9W	BEAVERHEAD
2	80.00		W2NW	25	4S	9W	BEAVERHEAD
3	20.00		N2NWSW	25	4S	9W	BEAVERHEAD
4	6.00		S2NWSW	25	4S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5	75.00	E2NE	26	4S	9W	BEAVERHEAD
6	25.00	NWNE	26	4S	9W	BEAVERHEAD
7	4.00	NESWNE	26	4S	9W	BEAVERHEAD
8	280.00	S2	26	4S	9W	BEAVERHEAD
9	150.00	SE	27	4S	9W	BEAVERHEAD
10	15.00	E2SESW	27	4S	9W	BEAVERHEAD
11	15.00	E2SENE	33	4S	9W	BEAVERHEAD
12	30.00	NENE	34	4S	9W	BEAVERHEAD
13	8.00	E2NWNE	34	4S	9W	BEAVERHEAD
14	120.00	NW	34	4S	9W	BEAVERHEAD
15	80.00	N2N2	35	4S	9W	BEAVERHEAD
Total:	948.00					

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

110725-00	110726-00	110727-00	110728-00	110729-00	110730-00	110731-00
110732-00	110733-00	110734-00	110735-00	110736-00	182360-00	92616-00
92617-00	92618-00	92619-00	92620-00	92634-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/29/1997: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 02/05/1992.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

AERIAL PHOTOGRAPH NO(S). CXM 3FF-38 , DATED 08/01/1965 , APPEARS TO INDICATE 562.90 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110730-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: BAR SEVEN S RANCH
PO BOX 320062
GLEN, MT 59732 0062

Priority Date: APRIL 1, 1910

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 5.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 948.00

Source Name: WILLOW CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNW	25	4S	9W	BEAVERHEAD

Diversion Means: DIKE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		SENW	25	4S	9W	BEAVERHEAD
2	80.00		W2NW	25	4S	9W	BEAVERHEAD
3	20.00		N2NWSW	25	4S	9W	BEAVERHEAD
4	6.00		S2NWSW	25	4S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5	75.00		E2NE	26	4S	9W	BEAVERHEAD
6	25.00		NWNE	26	4S	9W	BEAVERHEAD
7	4.00		NESWNE	26	4S	9W	BEAVERHEAD
8	280.00		S2	26	4S	9W	BEAVERHEAD
9	150.00		SE	27	4S	9W	BEAVERHEAD
10	15.00		E2SESW	27	4S	9W	BEAVERHEAD
11	15.00		E2SENE	33	4S	9W	BEAVERHEAD
12	30.00		NENE	34	4S	9W	BEAVERHEAD
13	8.00		E2NWNE	34	4S	9W	BEAVERHEAD
14	120.00		NW	34	4S	9W	BEAVERHEAD
15	80.00		N2N2	35	4S	9W	BEAVERHEAD
Total:	948.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

110725-00	110726-00	110727-00	110728-00	110729-00	110730-00	110731-00
110732-00	110733-00	110734-00	110735-00	110736-00	182360-00	92616-00
92617-00	92618-00	92619-00	92620-00	92634-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/29/1997: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 02/05/1992.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

AERIAL PHOTOGRAPH NO(S). CXM 3FF-38 , DATED 08/01/1965 , APPEARS TO INDICATE 562.90 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110731-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BAR SEVEN S RANCH
PO BOX 320062
GLEN, MT 59732 0062

Priority Date: AUGUST 30, 1888

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 3.75 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 948.00

Source Name: WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSESW	33	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: JOY-BARBOUR DITCH NO. 6

2		SESESW	27	4S	9W	BEAVERHEAD
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Diversion Means: HEADGATE

Ditch Name: H K P DITCH NO. 3

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		SE	25	4S	9W	BEAVERHEAD
2	80.00		W2NW	25	4S	9W	BEAVERHEAD
3	20.00		N2NWSW	25	4S	9W	BEAVERHEAD
4	6.00		S2NWSW	25	4S	9W	BEAVERHEAD
5	75.00		E2NE	26	4S	9W	BEAVERHEAD
6	25.00		NWNE	26	4S	9W	BEAVERHEAD
7	4.00		NESWNE	26	4S	9W	BEAVERHEAD
8	280.00		S2	26	4S	9W	BEAVERHEAD
9	150.00		SE	27	4S	9W	BEAVERHEAD
10	15.00		E2SESW	27	4S	9W	BEAVERHEAD
11	15.00		E2SENE	33	4S	9W	BEAVERHEAD
12	30.00		NENE	34	4S	9W	BEAVERHEAD
13	8.00		E2NWNE	34	4S	9W	BEAVERHEAD
14	120.00		NW	34	4S	9W	BEAVERHEAD
15	80.00		N2N2	35	4S	9W	BEAVERHEAD
Total:	948.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

110725-00	110726-00	110727-00	110728-00	110729-00	110730-00	110731-00
110732-00	110733-00	110734-00	110735-00	110736-00	182360-00	92616-00
92617-00	92618-00	92619-00	92620-00	92634-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/05/1992: PLACE OF USE, PERIOD OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/29/1997: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

AERIAL PHOTOGRAPH NO(S). CXM 3FF-38 , DATED 08/01/1979 , APPEARS TO INDICATE 562.90 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110732-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: BAR SEVEN S RANCH
PO BOX 320062
GLEN, MT 59732 0062

Priority Date: MAY 1, 1887

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 282.74 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 948.00

Source Name: WILLOW CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	33	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE
Ditch Name: BUYAN-POLISH DITCH

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		SENE	25	4S	9W	BEAVERHEAD
2	80.00		W2NE	25	4S	9W	BEAVERHEAD
3	20.00		N2NWSW	25	4S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	6.00		S2NWSW	25	4S	9W	BEAVERHEAD
5	75.00		E2NE	26	4S	9W	BEAVERHEAD
6	25.00		NWNE	26	4S	9W	BEAVERHEAD
7	4.00		NESWNE	26	4S	9W	BEAVERHEAD
8	280.00		S2	26	4S	9W	BEAVERHEAD
9	150.00		SE	27	4S	9W	BEAVERHEAD
10	15.00		E2SESW	27	4S	9W	BEAVERHEAD
11	15.00		E2SENE	33	4S	9W	BEAVERHEAD
12	30.00		NENE	34	4S	9W	BEAVERHEAD
13	8.00		E2NWNE	34	4S	9W	BEAVERHEAD
14	120.00		NW	34	4S	9W	BEAVERHEAD
15	80.00		N2N2	35	4S	9W	BEAVERHEAD
Total:	948.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

110725-00	110726-00	110727-00	110728-00	110729-00	110730-00	110731-00
110732-00	110733-00	110734-00	110735-00	110736-00	182360-00	92616-00
92617-00	92618-00	92619-00	92620-00	92634-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/05/1992: PLACE OF USE, MAXIMUM ACRES, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/05/1997: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

AERIAL PHOTOGRAPH NO(S). CXM 3FF-38 , DATED 08/01/1979 , APPEARS TO INDICATE 562.90 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110733-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BAR SEVEN S RANCH
PO BOX 320062
GLEN, MT 59732 0062

Priority Date: JUNE 1, 1902

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 170.54 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 948.00

Source Name: WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	33	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: BUYAN-POLISH-HAIL-HARTWIG DITCH NO. 5

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		SENE	25	4S	9W	BEAVERHEAD
2	80.00		W2NE	25	4S	9W	BEAVERHEAD
3	20.00		N2NWSW	25	4S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	6.00		S2NWSW	25	4S	9W	BEAVERHEAD
5	75.00		E2NE	26	4S	9W	BEAVERHEAD
6	25.00		NWNE	26	4S	9W	BEAVERHEAD
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11	15.00		E2SENE	33	4S	9W	BEAVERHEAD
12	30.00		NENE	34	4S	9W	BEAVERHEAD
13	8.00		E2NWNE	34	4S	9W	BEAVERHEAD
14	120.00		NW	34	4S	9W	BEAVERHEAD
15	80.00		N2N2	35	4S	9W	BEAVERHEAD
Total:	948.00						

Remarks:

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92617-00	92618-00	92619-00	92620-00	92634-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/05/1992: PLACE OF USE, PERIOD OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/05/1997: PLACE OF USE, MAXIMUM ACRES.

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THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

AERIAL PHOTOGRAPH NO(S). CXM 3FF-38 , DATED 08/01/1965 , APPEARS TO INDICATE 562.90 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110734-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BAR SEVEN S RANCH
PO BOX 320062
GLEN, MT 59732 0062

Priority Date: JUNE 1, 1902

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 1.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 948.00

Source Name: WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSESW	33	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: JOY-BARBOUR DITCH NO. 6

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		SENW	25	4S	9W	BEAVERHEAD
2	80.00		W2NW	25	4S	9W	BEAVERHEAD
3	20.00		N2NWSW	25	4S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	6.00		S2NWSW	25	4S	9W	BEAVERHEAD
5	75.00		E2NE	26	4S	9W	BEAVERHEAD
6	25.00		NWNE	26	4S	9W	BEAVERHEAD
7	4.00		NESWNE	26	4S	9W	BEAVERHEAD
8	280.00		S2	26	4S	9W	BEAVERHEAD
9	150.00		SE	27	4S	9W	BEAVERHEAD
10	15.00		E2SESW	27	4S	9W	BEAVERHEAD
11	15.00		E2SENE	33	4S	9W	BEAVERHEAD
12	30.00		NENE	34	4S	9W	BEAVERHEAD
13	8.00		E2NWNE	34	4S	9W	BEAVERHEAD
14	120.00		NW	34	4S	9W	BEAVERHEAD
15	80.00		N2N2	35	4S	9W	BEAVERHEAD
Total:	948.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

110725-00	110726-00	110727-00	110728-00	110729-00	110730-00	110731-00
110732-00	110733-00	110734-00	110735-00	110736-00	182360-00	92616-00
92617-00	92618-00	92619-00	92620-00	92634-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/05/1992: PLACE OF USE, PERIOD OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/29/1997: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

AERIAL PHOTOGRAPH NO(S). CXM-3FF-38 , DATED 08/01/1965 , APPEARS TO INDICATE 562.90 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110735-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: BAR SEVEN S RANCH
PO BOX 320062
GLEN, MT 59732 0062

Priority Date: APRIL 1, 1900

Type of Historical Right: DECREE

Purpose(use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 5.88 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 948.00

***Source Name:** WILLOW CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSESW	33	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE
Ditch Name: JOY-BARBOUR DITCH NO. 6

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		SENW	25	4S	9W	BEAVERHEAD
2	80.00		W2NW	25	4S	9W	BEAVERHEAD
3	20.00		N2NWSW	25	4S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	6.00		S2NWSW	25	4S	9W	BEAVERHEAD
5	75.00		E2NE	26	4S	9W	BEAVERHEAD
6	25.00		NWNE	26	4S	9W	BEAVERHEAD
7	4.00		NESWNE	26	4S	9W	BEAVERHEAD
8	280.00		S2	26	4S	9W	BEAVERHEAD
9	150.00		SE	27	4S	9W	BEAVERHEAD
10	15.00		E2SESW	27	4S	9W	BEAVERHEAD
11	15.00		E2SENE	33	4S	9W	BEAVERHEAD
12	30.00		NENE	34	4S	9W	BEAVERHEAD
13	8.00		E2NWNE	34	4S	9W	BEAVERHEAD
14	120.00		NW	34	4S	9W	BEAVERHEAD
15	80.00		N2N2	35	4S	9W	BEAVERHEAD
Total:	948.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

110725-00	110726-00	110727-00	110728-00	110729-00	110730-00	110731-00
110732-00	110733-00	110734-00	110735-00	110736-00	182360-00	92616-00
92617-00	92618-00	92619-00	92620-00	92634-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/05/1992: PLACE OF USE, PERIOD OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/29/1997: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

AERIAL PHOTOGRAPH NO(S). CXM 3FF-38 , DATED 08/01/1965 , APPEARS TO INDICATE 562.90 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 110736-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

BAR SEVEN S RANCH
PO BOX 320062
GLEN, MT 59732 0062

CHARLOTTE F QUIST
PO BOX 109
DILLON, MT 59725 0109

VICTOR F NETTLES JR
PO BOX 109
DILLON, MT 59725 0109

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: JUNE 1, 1901

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 1.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 948.00

Source Name: WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESENE	33	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		SENE	25	4S	9W	BEAVERHEAD
2	80.00		W2NW	25	4S	9W	BEAVERHEAD
3	20.00		N2NWSE	25	4S	9W	BEAVERHEAD
4	6.00		S2NWSW	25	4S	9W	BEAVERHEAD
5	75.00		E2NE	26	4S	9W	BEAVERHEAD
6	25.00		NWNE	26	4S	9W	BEAVERHEAD
7	4.00		NESWNE	26	4S	9W	BEAVERHEAD
8	280.00		S2	26	4S	9W	BEAVERHEAD
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10	15.00		E2SESW	27	4S	9W	BEAVERHEAD
11	15.00		E2SENE	33	4S	9W	BEAVERHEAD
12	30.00		NENE	34	4S	9W	BEAVERHEAD
13	8.00		E2NWNE	34	4S	9W	BEAVERHEAD
14	120.00		NW	34	4S	9W	BEAVERHEAD
15	80.00		N2N2	35	4S	9W	BEAVERHEAD
Total:	948.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

110725-00	110726-00	110727-00	110728-00	110729-00	110730-00	110731-00
110732-00	110733-00	110734-00	110735-00	110736-00	182360-00	92616-00
92617-00	92618-00	92619-00	92620-00	92634-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/05/1997: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 02/05/1992.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

AERIAL PHOTOGRAPH NO(S). CXM 3FF-38 , DATED 08/01/1965 , APPEARS TO INDICATE 562.90 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 111777-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

DAWN C MARTIN
8141 E KAISER BLVD
ANAHEIM, CA 92808 2227

ENGEL CAIN
PO BOX 63
DIVIDE, MT 59727 0063

GARY R MARTIN
8141 E KAISER BLVD
ANAHEIM, CA 92808 2227

HAGAN FAMILY TRUST
%J. MICHAEL & ARLENE S. HAGAN
16 MONARCH BAY DR
DANA POINT, CA 92629 3445

HENDRICKSON FAMILY TRUST
%JACK C & JUDITH A HENDRICKSON, TRUSTEES
PO BOX 53
DIVIDE, MT 59727 0053

THOMAS R CADDY
PO BOX 306
BUTTE, MT 59701 0306

UNDIVIDED INTEREST TRANSFER PER CHIRDONS RELEASE OF HIS INTEREST.

Priority Date: JUNE 1, 1963

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.91 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 51.00

***Source Name:** BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	18	1S	9W	SILVER BOW

Diversion Means: PUMP

Subdivision: SYNDER BAKER TRACTS TRACT/LOT: 2

Period of Use: JUNE 1 TO SEPTEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	51.00		SE	18	1S	9W	SILVER BOW

Subdivision: SYNDER BAKER TRACTS TRACT/LOT: 2

Total: 51.00

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. USDA AERIAL PHOTOGRAPH NO(S). 879-36 , DATED 09/07/1979 , APPEARS TO INDICATE 41.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 112070-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: APRIL 15, 1920

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 3.03 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 80.00

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S	W	S	W	16	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	80.00		W2W2	16	3S	15W	BEAVERHEAD
Total:	80.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 93324-00, 93325-00, 112070-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 112071-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: APRIL 1, 1880

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 7.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 12.00

Source Name: FREEZEOUT GULCH

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNENE	21	1N	9W	SILVER BOW

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	12.00		SESE	16	1N	9W	SILVER BOW

Total: 12.00

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS ALL OF THE FLOW DECREED IN CASE NO. A6450 SILVER BOW COUNTY. 93699-00, 112071-00.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 281.00 GPM PER ACRE.

USDA AERIAL PHOTOGRAPH NO(S). 879-38 , DATED 09/18/1979 , APPEARS TO INDICATE 21.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). DFH 1-62 , DATED 07/30/1947 , APPEARS TO INDICATE 21.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THE PLACE OF USE DESCRIBED IN CASE NO. A-6450, SILVER BOW COUNTY, IS INCONSISTENT WITH THE CLAIMED PLACE OF USE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 113321-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SHOESTRING RANCH LLC
PO BOX 159
MELROSE, MT 59743 0159

Priority Date: MAY 1, 1952

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 1.52 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 40.00

***Source Name:** WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

THE SOURCE IS WATER COLLECTED IN THE TOM CONNOR DRAIN DITCH.

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		E2E2W2	26	2S	9W	SILVER BOW

Diversion Means: DRAIN DITCH

WATER DIVERTED FROM TOM CONNER DRAIN DITCH IS CONVEYED TO CAMP CREEK WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POINT OF DIVERSION IN THE NWNENW SEC 35 TWP 2S RGE 9W MADISON COUNTY.

MAY 15 TO OCTOBER 4

Period of Use: MAY 15 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.50		SE	SW	SE	35	2S 9W MADISON
2	6.00		S	SW	SW	35	2S 9W MADISON
3	5.50		W	2	N	E	3S 9W MADISON
4	9.00		N	E	N	W	2 3S 9W MADISON
5	4.50		N	W	N	W	2 3S 9W MADISON
6	10.00		S	E	N	W	2 3S 9W MADISON
7	0.50		S	W	N	W	2 3S 9W MADISON
8	1.50		N	W	S	E	2 3S 9W MADISON
9	1.50		N	E	S	W	2 3S 9W MADISON
Total:	40.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

113321-00 113324-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/15/1995: SOURCE, POINT OF DIVERSION, MEANS OF DIVERSION.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 113322-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SHOESTRING RANCH LLC
PO BOX 159
MELROSE, MT 59743 0159

Priority Date: MAY 20, 1888

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

***Flow Rate:** 6.39 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

***Maximum Acres:** 168.50

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNE	2		3S	9W	MADISON

Diversion Means: HEADGATE

Ditch Name: STREB DITCH

Period of Use: MAY 15 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	7.00		NWSENE	2	3S	9W	MADISON	
2	10.00		SWSENE	2	3S	9W	MADISON	
3	8.00		NESWNE	2	3S	9W	MADISON	
4	0.50		NWSWNE	2	3S	9W	MADISON	
5	10.00		SESWNE	2	3S	9W	MADISON	
6	3.00		SWSWNE	2	3S	9W	MADISON	
7	9.00		NWNESE	2	3S	9W	MADISON	
8	6.50		SWNESE	2	3S	9W	MADISON	
9	10.00		NENWSE	2	3S	9W	MADISON	
10	1.00		NWNWSE	2	3S	9W	MADISON	
11	8.00		SENWSE	2	3S	9W	MADISON	
12	2.00		SWNWSE	2	3S	9W	MADISON	
13	1.50		NESESE	2	3S	9W	MADISON	
14	4.50		NWSESE	2	3S	9W	MADISON	
15	6.50		SESESE	2	3S	9W	MADISON	
16	10.00		SWSESE	2	3S	9W	MADISON	
17	10.00		NESWSE	2	3S	9W	MADISON	
18	3.00		NWSWSE	2	3S	9W	MADISON	
19	10.00		SESWSE	2	3S	9W	MADISON	
20	6.00		SWSWSE	2	3S	9W	MADISON	
21	40.00		NENE	11	3S	9W	MADISON	
22	1.00		NWNWNW	12	3S	9W	MADISON	
23	1.00		SWNWNW	12	3S	9W	MADISON	
Total:	168.50							

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

113322-00 113323-00

THE TYPE OF HISTORICAL RIGHT WAS AMENDED BY THE CLAIMANT ON 06/15/1995.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 113323-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SHOESTRING RANCH LLC
PO BOX 159
MELROSE, MT 59743 0159

***Priority Date:** APRIL 30, 1884

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

***Flow Rate:** 6.39 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

***Maximum Acres:** 168.50

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNE	2		3S	9W	MADISON

Diversion Means: HEADGATE

Ditch Name: STREB DITCH

Period of Use: MAY 15 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	7.00		NWSENE	2	3S	9W	MADISON
2	10.00		SWSENE	2	3S	9W	MADISON
3	8.00		NESWNE	2	3S	9W	MADISON
4	0.50		NWSWNE	2	3S	9W	MADISON
5	10.00		SESWNE	2	3S	9W	MADISON
6	3.00		SWSWNE	2	3S	9W	MADISON
7	9.00		NWNESE	2	3S	9W	MADISON
8	6.50		SWNESE	2	3S	9W	MADISON
9	10.00		NENWSE	2	3S	9W	MADISON
10	1.00		NWNWSE	2	3S	9W	MADISON
11	8.00		SENWSE	2	3S	9W	MADISON
12	2.00		SWNWSE	2	3S	9W	MADISON
13	1.50		NESESE	2	3S	9W	MADISON
14	4.50		NWSESE	2	3S	9W	MADISON
15	6.50		SESESE	2	3S	9W	MADISON
16	10.00		SWSESE	2	3S	9W	MADISON
17	10.00		NESWSE	2	3S	9W	MADISON
18	3.00		NWSWSE	2	3S	9W	MADISON
19	10.00		SESWSE	2	3S	9W	MADISON
20	6.00		SWSWSE	2	3S	9W	MADISON
21	40.00		NENE	11	3S	9W	MADISON
22	1.00		NWNWNW	12	3S	9W	MADISON
23	1.00		SWNWNW	12	3S	9W	MADISON
Total:	168.50						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

113322-00 113323-00

THE TYPE OF HISTORICAL RIGHT WAS AMENDED BY THE CLAIMANT ON 06/15/1995.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 113324-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SHOESTRING RANCH LLC
PO BOX 159
MELROSE, MT 59743 0159

***Priority Date:** MAY 31, 1886

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.60 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 40.00

***Source Name:** BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	NE	27	2S	9W	SILVER BOW

Diversion Means: HEADGATE

Ditch Name: PENDERGAST DITCH

Period of Use: MAY 15 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.50		SE	SWSE	35	2S	9W MADISON
2	6.00		SW	SWSE	35	2S	9W MADISON
3	5.50		W2	NENE	2	3S	9W MADISON
4	9.00		NE	NWNE	2	3S	9W MADISON
5	4.50		NW	NWNE	2	3S	9W MADISON
6	10.00		SE	NWNE	2	3S	9W MADISON
7	0.50		SW	NWNE	2	3S	9W MADISON
8	1.50		NW	SENE	2	3S	9W MADISON
9	1.50		NE	SWNE	2	3S	9W MADISON
Total:	40.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

113321-00 113324-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/15/1995: POINT OF DIVERSION, FLOW RATE AND TYPE OF HISTORICAL RIGHT.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 117631-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BRADLEY LIMITED PARTNERSHIP
7 N OREGON ST
DILLON, MT 59725 3619

Priority Date: JUNE 30, 1871

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 2.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 97.00

Source Name: BROWNES GULCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	27	3S	9W	BEAVERHEAD

Diversion Means: DITCH

Period of Use: APRIL 15 TO NOVEMBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	97.00		S2	27	3S	9W	BEAVERHEAD

Total: 97.00

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

117631-00 117632-00 117633-00 117634-00 117635-00 117636-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/15/2006: POINT OF DIVERSION, MEANS OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 10.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 117632-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BRADLEY LIMITED PARTNERSHIP
7 N OREGON ST
DILLON, MT 59725 3619

Priority Date: JUNE 1, 1894

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

Volume: 33.52 AC-FT

THIS RIGHT IS FOR 1/8 INTEREST (33.52 AF) OF THE 268.19 AF DECREED IN CASE NO. 2632, BEAVERHEAD COUNTY.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 187.00

Source Name: ROCK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	SESE	34	3S 10W	BEAVERHEAD

Diversion Means: DAM

WATER DIVERTED FROM BROWNES LAKE IS CONVEYED TO ROCK CREEK WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POINT OF DIVERSION IN THE SWNWSE SEC 33 TWP 3S RGE 9W BEAVERHEAD COUNTY.

Reservoir: ONSTREAM **Reservoir Name:** BROWNES LAKE

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWSESE	34	3S	10W	BEAVERHEAD

Dam Height: 10.00 FEET
Surface Area: 60.00 ACRES
Capacity: 840.00 ACRE-FEET

SEE THE MONTANA FISH WILDLIFE AND PARKS INFORMATION IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

Period of Use: APRIL 15 TO NOVEMBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	125.00		S2	27	3S	9W	BEAVERHEAD
2	32.00		NENE	33	3S	9W	BEAVERHEAD
3	30.00		N2N2N2	34	3S	9W	BEAVERHEAD
Total:	187.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

117631-00 117632-00 117633-00 117634-00 117635-00 117636-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/15/2006: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE PERIOD OF DIVERSION FROM THE SOURCE INTO STORAGE CANNOT BE IDENTIFIED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

ACCORDING TO INFORMATION IN THE CLAIM FILE, THE DAM WASHED OUT IN 1984.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 117633-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BRADLEY LIMITED PARTNERSHIP
7 N OREGON ST
DILLON, MT 59725 3619

Priority Date: OCTOBER 28, 1901

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

Volume: 58.60 AC-FT

THIS RIGHT IS FOR JOSEPH A BROWNE'S 1/8 INTEREST OF THE 486.78 AF IN CASE NO. 2632, BEAVERHEAD COUNTY.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 187.00

Source Name: ROCK CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENESE	4	4S	10W	BEAVERHEAD

Diversion Means: DAM

WATER DIVERTED FROM LAKE AGNES IS CONVEYED TO ROCK CREEK WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POINT OF DIVERSION IN THE SWNWSE SEC 33 TWP 3S RGE 9W BEAVERHEAD COUNTY.

*Reservoir: ONSTREAM Reservoir Name: LAKE AGNES

	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
		NENESE	4	4S	10W	BEAVERHEAD
Dam Height:		13.00	FEET			
Surface Area:		114.00	ACRES			
Capacity:		1,860.00	ACRE-FEET			

RESERVOIR DATA WAS OBTAINED FROM THE DAM SAFETY SECTION OF THE WATER RESOURCES DIVISION, DNRC.

Period of Use: APRIL 15 TO NOVEMBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	125.00		S2	27	3S	9W	BEAVERHEAD
2	32.00		NENE	33	3S	9W	BEAVERHEAD
3	30.00		N2N2N2	34	3S	9W	BEAVERHEAD
Total:	187.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

117631-00 117632-00 117633-00 117634-00 117635-00 117636-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/15/2006: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED VOLUMES EXCEEDS THE 486.78 ACRE- FEET DECREED IN CASE NO. 2632, BEAVERHEAD COUNTY. 40058-00, 45290-00, 117633-00, 194310-00.

THE PERIOD OF DIVERSION FROM THE SOURCE INTO STORAGE CANNOT BE IDENTIFIED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 10.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 117634-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BRADLEY LIMITED PARTNERSHIP
7 N OREGON ST
DILLON, MT 59725 3619

Priority Date: JUNE 1, 1894

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 8.35 CFS

THIS RIGHT IS FOR 1/8 INTEREST (8.25 CFS) OF THE 26.8 CFS (1072 MI) IN CASE NO. 2632, BEAVERHEAD COUNTY.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 187.00

Source Name: ROCK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWSE	33		3S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: POOLE DITCH

Period of Use: APRIL 15 TO NOVEMBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	125.00		S2	27	3S	9W	BEAVERHEAD
2	32.00		NENE	33	3S	9W	BEAVERHEAD
3	30.00		N2N2N2	34	3S	9W	BEAVERHEAD
Total:	187.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

117631-00 117632-00 117633-00 117634-00 117635-00 117636-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/15/2006: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 117635-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BRADLEY LIMITED PARTNERSHIP
7 N OREGON ST
DILLON, MT 59725 3619

Priority Date: DECEMBER 20, 1904

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 309.67 GPM

THIS RIGHT IS FOR 1/8 INTEREST (309.67 GPM) OF THE 2468.40 GPM (220 MI) IN CASE NO. 2632, BEAVERHEAD COUNTY.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 187.00

Source Name: ROCK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWSE	33	3S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: POOLE DITCH

Period of Use: APRIL 15 TO NOVEMBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	125.00		S2	27	3S	9W	BEAVERHEAD
2	32.00		NENE	33	3S	9W	BEAVERHEAD
3	30.00		N2N2N2	34	3S	9W	BEAVERHEAD
Total:	187.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

117631-00 117632-00 117633-00 117634-00 117635-00 117636-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/15/2006: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 220 MINER'S INCHES DECREED IN CASE NO. 2632 , BEAVERHEAD COUNTY. 117635-00, 180963-00, 194314-00.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 10.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 117636-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BRADLEY LIMITED PARTNERSHIP
7 N OREGON ST
DILLON, MT 59725 3619

Priority Date: APRIL 1, 1910

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 58.34 GPM

THIS RIGHT IS FOR 1/8 INTEREST (58.34 GPM) OF THE 448.8 GPM (40 MI) IN CASE NO. 2632, BEAVERHEAD COUNTY.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 187.00

Source Name: ROCK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWSE	33	3S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: POOLE DITCH

Period of Use: APRIL 15 TO NOVEMBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	125.00		S2	27	3S	9W	BEAVERHEAD
2	32.00		NENE	33	3S	9W	BEAVERHEAD
3	30.00		N2N2N2	34	3S	9W	BEAVERHEAD
Total:	187.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

117631-00 117632-00 117633-00 117634-00 117635-00 117636-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/15/2006: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 10.

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE. THE PRIORITY DATE ON THE SUBMITTED DECREE IS MAY 1, 1910.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 118186-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

CHRIS CAMPBELL
11 HOLLY LN
BUTTE, MT 59701 4380

GREG CAMPBELL
11 HOLLY LN
BUTTE, MT 59701 4380

JERRY CAMPBELL
11 HOLLY LN
BUTTE, MT 59701 4380

MARK CAMPBELL
11 HOLLY LN
BUTTE, MT 59701 4380

VAN S STALLMAN
PO BOX 128
WISE RIVER, MT 59762 0128

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: DECEMBER 14, 1903

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 1.70 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 45.00

***Source Name:** DENO CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNENW	19	1S	11W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: APRIL 15 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.00		SWSWSE	18	1S	11W	BEAVERHEAD
2	4.00		SESESW	18	1S	11W	BEAVERHEAD
3	1.00		SWSESW	18	1S	11W	BEAVERHEAD
4	1.00		NWNWNE	19	1S	11W	BEAVERHEAD
5	10.00		NENENW	19	1S	11W	BEAVERHEAD
6	7.00		NWNENW	19	1S	11W	BEAVERHEAD
7	6.00		SENENW	19	1S	11W	BEAVERHEAD
8	9.00		SWNENW	19	1S	11W	BEAVERHEAD
9	3.00		SENWNW	19	1S	11W	BEAVERHEAD
10	2.00		NWSENW	19	1S	11W	BEAVERHEAD
11	1.00		NESWNW	19	1S	11W	BEAVERHEAD
Total:	45.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

118186-00 118189-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 879-136 , DATED 09/18/1979 , APPEARS TO INDICATE 6.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 4P-84 , DATED 07/19/1955 , APPEARS TO INDICATE 31.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

PART OF THE CLAIMED PLACE OF USE DOES NOT APPEAR TO BE IRRIGATED BY WATER FROM THE CLAIMED SOURCE.

THE CLAIMED POINT OF DIVERSION MAY NOT BE THE INITIAL POINT OF DIVERSION FROM THE SOURCE. ACCORDING TO THE MAP IN THE FILE, A STORAGE RESERVOIR MAY BE PART OF THIS RIGHT.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON DENO CREEK WITH A PRIORITY DATE PREDATING CASE NO. 4101 BEAVERHEAD COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 118187-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

DANIEL J STRIZIC
3235 WHARTON ST
BUTTE, MT 59701 4533

JOHN P GILLESPIE JR
4600 ELKHORN RD
WISE RIVER, MT 59762 0194

PATRICIA J GILLESPIE
4600 ELKHORN RD
WISE RIVER, MT 59762 0194

Priority Date: SEPTEMBER 28, 1905

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 1.88 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 51.00

Source Name: WISE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSW	19	1S	11W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: WISE RIVER DITCH

Period of Use: APRIL 15 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.00		SE	SWNE	18	1S 11W	BEAVERHEAD
2	1.00		NW	NESE	18	1S 11W	BEAVERHEAD
3	2.00		SW	NESE	18	1S 11W	BEAVERHEAD
4	8.00		NE	NWSE	18	1S 11W	BEAVERHEAD
5	3.00		NW	NWSE	18	1S 11W	BEAVERHEAD
6	8.00		SE	NWSE	18	1S 11W	BEAVERHEAD
7	9.00		SW	NWSE	18	1S 11W	BEAVERHEAD
8	1.00		NE	SWSE	18	1S 11W	BEAVERHEAD
9	8.00		NW	SWSE	18	1S 11W	BEAVERHEAD
10	2.00		SW	SWSE	18	1S 11W	BEAVERHEAD
11	1.00		SE	NESE	18	1S 11W	BEAVERHEAD
12	5.00		NE	SESE	18	1S 11W	BEAVERHEAD
13	2.00		SE	SESE	18	1S 11W	BEAVERHEAD
Total:	51.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

118187-00 118188-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. AERIAL PHOTOGRAPH NO(S). CXM 4P-84 , DATED 07/19/1955 , APPEARS TO INDICATE 41.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE. THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON WISE RIVER WITH A PRIORITY DATE PREDATING CASE NO. 4101 BEAVERHEAD COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 118188-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: DANIEL J STRIZIC
3235 WHARTON ST
BUTTE, MT 59701 4533

JOHN P GILLESPIE JR
4600 ELKHORN RD
WISE RIVER, MT 59762 0194

PATRICIA J GILLESPIE
4600 ELKHORN RD
WISE RIVER, MT 59762 0194

Priority Date: SEPTEMBER 28, 1905

THIS RIGHT, PURSUANT TO CASE 4100, BEAVERHEAD COUNTY, IS SUBSEQUENT TO THE RIGHTS DECREED IN CASE 2627, REGARDLESS OF PRIORITY DATE. THOSE WATER RIGHTS FROM CASE 2627 ARE: 1080-00, 27459-00, 27460-00, 41591-00, 41592-00, 92794-00, 92891-00, 93193-00, 93194-00, 93195-00, 93820-00, 93821-00, 93822-00, 93823-00, 93824-00, 93825-00, 182379-00.

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 224.40 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 51.00

Source Name: WISE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSW	19	1S	11W	BEAVERHEAD

Diversion Means: HEADGATE
Ditch Name: WISE RIVER DITCH
Period of Use: APRIL 15 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.00		SESWNE	18	1S	11W	BEAVERHEAD
2	1.00		NWNESE	18	1S	11W	BEAVERHEAD
3	2.00		SWNESE	18	1S	11W	BEAVERHEAD
4	8.00		NENWSE	18	1S	11W	BEAVERHEAD
5	3.00		NWNWSE	18	1S	11W	BEAVERHEAD
6	8.00		SEWSE	18	1S	11W	BEAVERHEAD
7	9.00		SWNWSE	18	1S	11W	BEAVERHEAD
8	1.00		NEWSE	18	1S	11W	BEAVERHEAD
9	8.00		NWSWSE	18	1S	11W	BEAVERHEAD
10	2.00		SWSWSE	18	1S	11W	BEAVERHEAD
11	1.00		SESW	18	1S	11W	BEAVERHEAD
12	5.00		NESESW	18	1S	11W	BEAVERHEAD
13	2.00		SESESW	18	1S	11W	BEAVERHEAD
Total:	51.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

118187-00 118188-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 11/16/1994.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

AERIAL PHOTOGRAPH NO(S). CXM 4P-84 , DATED 07/19/1955 , APPEARS TO INDICATE 41.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 118189-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

CHRIS CAMPBELL
11 HOLLY LN
BUTTE, MT 59701 4380

GREG CAMPBELL
11 HOLLY LN
BUTTE, MT 59701 4380

JERRY CAMPBELL
11 HOLLY LN
BUTTE, MT 59701 4380

MARK CAMPBELL
11 HOLLY LN
BUTTE, MT 59701 4380

VAN S STALLMAN
PO BOX 128
WISE RIVER, MT 59762 0128

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: DECEMBER 14, 1903

THIS RIGHT, PURSUANT TO CASE 4100, BEAVERHEAD COUNTY, IS SUBSEQUENT TO THE RIGHTS DECREED IN CASE 2627, REGARDLESS OF PRIORITY DATE. THOSE WATER RIGHTS FROM CASE 2627 ARE: 1080-00, 27459-00, 27460-00, 41591-00, 41592-00, 92794-00, 92891-00, 93193-00, 93194-00, 93195-00, 93820-00, 93821-00, 93822-00, 93823-00, 93824-00, 93825-00, 182379-00.

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.00 CFS
***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 45.00

***Source Name:** DENO CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNENW	19	1S	11W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: APRIL 15 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.00		SWSWSE	18	1S	11W	BEAVERHEAD
2	4.00		SESESW	18	1S	11W	BEAVERHEAD
3	1.00		SWSESW	18	1S	11W	BEAVERHEAD
4	1.00		NWNWNE	19	1S	11W	BEAVERHEAD
5	10.00		NENENW	19	1S	11W	BEAVERHEAD
6	7.00		NWNENW	19	1S	11W	BEAVERHEAD
7	6.00		SENENW	19	1S	11W	BEAVERHEAD
8	9.00		SWNENW	19	1S	11W	BEAVERHEAD
9	3.00		SENWNW	19	1S	11W	BEAVERHEAD
10	2.00		NWSESW	19	1S	11W	BEAVERHEAD
11	1.00		NESWNW	19	1S	11W	BEAVERHEAD
Total:	45.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

118186-00 118189-00

THE TYPE OF HISTORICAL RIGHT WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 20.00 GPM PER ACRE.

USDA AERIAL PHOTOGRAPH NO(S). 879-136 , DATED 09/18/1979 , APPEARS TO INDICATE 6.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 4P-84 , DATED 07/19/1955 , APPEARS TO INDICATE 31.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

PART OF THE CLAIMED PLACE OF USE DOES NOT APPEAR TO BE IRRIGATED BY WATER FROM THE CLAIMED SOURCE.

THE CLAIMED POINT OF DIVERSION MAY NOT BE THE INITIAL POINT OF DIVERSION FROM THE SOURCE. ACCORDING TO THE MAP IN THE FILE, A STORAGE RESERVOIR MAY BE PART OF THIS RIGHT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 118272-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS
PO BOX 200701
HELENA, MT 59620 0701

Priority Date: AUGUST 30, 1963

Type of Historical Right: USE

Purpose(use): RECREATION

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

Volume: 7,913.00 AC-FT

THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.

Source Name: ROCK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	SE	34	3S	10W	BEAVERHEAD

***Period of Diversion:** JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

DAM WAS ENLARGED SOMETIME IN THE 1920'S.

***Reservoir:** ONSTREAM **Reservoir Name:** BROWNES LAKE

<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NW	SE	34	3S	10W	BEAVERHEAD

Dam Height: 12.00 FEET

Surface Area: 48.00 ACRES

Capacity: 375.00 ACRE-FEET

SEE THE MONTANA FISH WILDLIFE AND PARKS EXPLANATION OF CLAIM IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESE	34	3S	10W	BEAVERHEAD
2			SWSE	34	3S	10W	BEAVERHEAD
3			SESW	34	3S	10W	BEAVERHEAD
4			NWNE	3	4S	10W	BEAVERHEAD
5			NENW	3	4S	10W	BEAVERHEAD

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON ROCK CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 2632 BEAVERHEAD COUNTY.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 41I, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

ACCORDING TO INFORMATION IN THE CLAIM FILE, THE DAM WASHED OUT IN 1984.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119089-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

Priority Date: AUGUST 26, 1891

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER

Flow Rate: 6.25 CFS

Volume: 4,562.50 AC-FT

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BOND CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNENW	1	5S	11W	BEAVERHEAD	

***Period of Diversion: JANUARY 1 TO DECEMBER 31**

Diversion Means: DAM

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
*Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: HEADGATE						
3		NENWSE	36	4S	9W	BEAVERHEAD
*Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: HEADGATE						
4		NWSESW	36	4S	9W	BEAVERHEAD
*Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: HEADGATE						
5		SESWSW	36	4S	9W	BEAVERHEAD
*Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: HEADGATE						
6		SWSWSW	36	4S	9W	BEAVERHEAD
*Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: HEADGATE						
7		NWNENE	2	5S	9W	BEAVERHEAD
*Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: HEADGATE						
8		NESWNE	2	5S	9W	BEAVERHEAD
*Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: HEADGATE						
9		SESESE	3	5S	9W	BEAVERHEAD
*Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: HEADGATE						
10		SESESE	3	5S	9W	BEAVERHEAD
*Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: HEADGATE						
11		SWNESW	10	5S	9W	BEAVERHEAD
*Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: HEADGATE						
12		NESWNE	16	5S	9W	BEAVERHEAD
*Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: HEADGATE						
13		SESWNW	16	5S	9W	BEAVERHEAD
*Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: HEADGATE						
14		SWNESW	16	5S	9W	BEAVERHEAD
*Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: HEADGATE						
15		SENWSW	16	5S	9W	BEAVERHEAD
*Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: HEADGATE						
16		NWNESE	17	5S	9W	BEAVERHEAD
*Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: HEADGATE						

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NWSESW	19	5S	9W	BEAVERHEAD
*Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: HEADGATE						
18		NENWNE	20	5S	9W	BEAVERHEAD
*Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: HEADGATE						
19		NENENW	20	5S	9W	BEAVERHEAD
*Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: HEADGATE						
20		NENENW	20	5S	9W	BEAVERHEAD
*Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: HEADGATE						
21		NWSENW	20	5S	9W	BEAVERHEAD
*Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: HEADGATE						

WATER DIVERTED FROM DEERHEAD LAKE IS CONVEYED VIA BOND CREEK & THE BOND-NELSON DITCH TO BIRCH CREEK WHICH IS USED AS A NATURAL CARRIER TO A MULTITUDE OF SECONDARY DIVERSIONS.

*Reservoir: ONSTREAM Reservoir Name: DEERHEAD LAKE

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNENW	1	5S	11W	BEAVERHEAD
Dam Height:	15.00 FEET				
Capacity:	131.00 ACRE-FEET				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SEWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
74	1.38		NWNESW	22		5S	9W	BEAVERHEAD
75	26.17		NWSW	22		5S	9W	BEAVERHEAD
76	21.58		SWSW	22		5S	9W	BEAVERHEAD
77	100.00			SE	1	6S	9W	BEAVERHEAD
78	150.00			SE	10	6S	9W	BEAVERHEAD
79	615.00				11	6S	9W	BEAVERHEAD
80	157.00			NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12		6S	9W	BEAVERHEAD
82	37.00			S2NW	12	6S	9W	BEAVERHEAD
83	157.00			SE	12	6S	9W	BEAVERHEAD
84	160.00			SW	12	6S	9W	BEAVERHEAD
85	615.00				13	6S	9W	BEAVERHEAD
86	602.00				14	6S	9W	BEAVERHEAD
87	155.00			NE	15	6S	9W	BEAVERHEAD
88	160.00			SE	15	6S	9W	BEAVERHEAD
89	230.00			E2	22	6S	9W	BEAVERHEAD
90	105.00			NE	23	6S	9W	BEAVERHEAD
91	147.00			NW	23	6S	9W	BEAVERHEAD
92	141.00			SE	23	6S	9W	BEAVERHEAD
93	160.00			SW	23	6S	9W	BEAVERHEAD
94	155.00			NE	24	6S	9W	BEAVERHEAD
95	158.00			NW	24	6S	9W	BEAVERHEAD
96	160.00			SE	24	6S	9W	BEAVERHEAD
97	151.00			SW	24	6S	9W	BEAVERHEAD
98	35.00			NENE	25	6S	9W	BEAVERHEAD
99	79.00			W2NE	25	6S	9W	BEAVERHEAD
100	151.00			NW	25	6S	9W	BEAVERHEAD
101	40.00			NWSE	25	6S	9W	BEAVERHEAD
102	150.00			NE	26	6S	9W	BEAVERHEAD
103	160.00			NW	26	6S	9W	BEAVERHEAD

Total: 8,671.96

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/02/1996: PRIORITY DATE, FLOW RATE, SOURCE, VOLUME.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979 , APPEARS TO INDICATE 6532.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965 AND 08/01/1965 , APPEARS TO INDICATE 5887.17 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE POINT OF DIVERSION IS IN QUESTION. THIS RIGHT IS FOR WATER CONVEYED VIA BOND CREEK & THE BOND-NELSON DITCH. THE OUTLET OF DEERHEAD LAKE IS ESTIMATED TO BE IN TWP 05S RGE 11W SEC 01 NWNENW, BEAVERHEAD COUNTY.

ALL DIVERSIONS LISTED APPEAR TO BE SECONDARY DIVERSIONS ON BIRCH CREEK. POINTS OF DIVERSION NO. 2, NO. 3, NO. 12, NO. 14, NO. 16, AND NO. 19 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE CLAIMED VOLUME EXCEEDS THE MAXIMUM FEASIBLE VOLUME. BASED ON THE FLOW RATE AND PERIOD OF USE, THE MAXIMUM VOLUME POSSIBLE IS 4536.88 ACRE-FEET PER YEAR.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119090-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

Priority Date: JUNE 30, 1894

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.**

Volume: 480.00 AC-FT

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

***Source Name: BIRCH CREEK**

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNENW	4	5S	11W	BEAVERHEAD

***Period of Diversion: JANUARY 1 TO DECEMBER 31**

Diversion Means: DAM

BIRCH CREEK IS USED AS A NATURAL CARRIER TO CONVEY WATER DIVERTED FROM BOOT LAKE TO SECONDARY POINTS OF DIVERSIONS LOCATED IN:
 NENWSE 36 04S 09W, NENWSE 36 04S 09W, NWSESW 36 04S 09W, SESWSW 36 04S 09W, SWSWSW 36 04S 09W, NWNENE 02 05S 09W, NESWNE 02 05S 09W, SESESE 03 05S 09W, SESESE 03 05S 09W, SWNESW 10 05S 09W, NESWNE 16 05S 09W, SESWNW 16 05S 09W, SWNESW 16 05S 09W, SENWSW 16 05S 09W, NWNESE 17 05S 09W, NWSESW 19 05S 09W, NENWNE 20 05S 09W, NENENW 20 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W.

THE TOWNSHIP IS UNSURVEYED. THE LEGAL LAND DESCRIPTION FOR THE POINT OF DIVERSION HAS BEEN ESTIMATED.

Reservoir: ONSTREAM **Reservoir Name:** BOOT LAKE

	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
		SWNENW	4	5S	11W	BEAVERHEAD
Dam Height:		27.00	FEET			
Surface Area:		59.00	ACRES			
Capacity:		1,150.00	ACRE-FEET			

RESERVOIR DATA IS FROM THE FEDERAL DAM INVENTORY REPORT.

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SEW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SEW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD

Total: 8,671.96

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE TYPE OF HISTORICAL RIGHT WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979 AND 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965 AND 08/01/1965 , APPEARS TO INDICATE 5887.17 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON BIRCH CREEK WITH A PRIORITY DATE PREDATING CASE NO. 874 BEAVERHEAD COUNTY.

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119094-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

Priority Date: JULY 19, 1894

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

***Flow Rate: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.**

Volume: 70.80 AC-FT

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SE	SW	5	5S	11W BEAVERHEAD

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

BIRCH CREEK IS USED AS A NATURAL CARRIER TO CONVEY WATER DIVERTED FROM MAY LAKE TO SECONDARY POINTS OF DIVERSIONS LOCATED IN:
 NENWSE 36 04S 09W, NENWSE 36 04S 09W, NWSESW 36 04S 09W, SESWSW 36 04S 09W, SWSWSW 36 04S 09W, NWNENE 02 05S 09W, NESWNE 02 05S 09W, SESESE 03 05S 09W, SESESE 03 05S 09W, SWNESW 10 05S 09W, NESWNE 16 05S 09W, SESWNW 16 05S 09W, SWNESW 16 05S 09W, SENWSW 16 05S 09W, NWNESE 17 05S 09W, NWSESW 19 05S 09W, NENWNE 20 05S 09W, NENENW 20 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W.

THE TOWNSHIP IS UNSURVEYED. THE LEGAL LAND DESCRIPTION FOR THE POINT OF DIVERSION HAS BEEN ESTIMATED.

*Reservoir: ONSTREAM Reservoir Name: MAY LAKE

	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
		SESESW	5	5S	11W	BEAVERHEAD
Dam Height:		20.00	FEET			
Surface Area:		8.85	ACRES			
Capacity:		70.80	ACRE-FEET			

THE DAM HEIGHT HAS BEEN ESTIMATED BY DNRC.

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
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17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SESW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr	Sec	Twp	Rge	County
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SEW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SEW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
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75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD

Total: 8,671.96

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/14/2004: POINT OF DIVERSION, TYPE OF HISTORICAL RIGHT.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE FLOW RATE HAS NOT BEEN EXAMINED AS NO QUANTIFIED FLOW RATE WAS CLAIMED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40.00 ACRE DESCRIPTION AND EACH EXCEEDED 40.00 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979 AND 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965 AND 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON BIRCH CREEK WITH A PRIORITY DATE PREDATING CASE NO. 0874 BEAVERHEAD COUNTY.

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119095-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

Priority Date: JULY 25, 1894

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

***Flow Rate: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.**

Volume: 36.24 AC-FT

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWSE	6	5S	11W	BEAVERHEAD

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

BIRCH CREEK IS USED AS A NATURAL CARRIER TO CONVEY WATER DIVERTED FROM CHAIN LAKE TO SECONDARY POINTS OF DIVERSIONS LOCATED IN:
 NENENW 20 05S 09W, NWSENW 20 05S 09W, NWSESW 36 04S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, NWNENE 02 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, SESESE 03 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, SESWNW 16 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, NWNESE 17 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, NENENW 20 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W.

*Reservoir: ONSTREAM Reservoir Name: CHAIN LAKE

	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
		SEWSE	6	5S	11W	BEAVERHEAD
Dam Height:		30.00	FEET			
Surface Area:		3.02	ACRES			
Capacity:		36.24	ACRE-FEET			

THE DAM HEIGHT HAS BEEN ESTIMATED BY DNRC.

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
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23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
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32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
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Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
34	28.20		SENW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
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39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
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51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
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Total:	8,671.96						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

- | | | | | | | |
|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| 119089-00 | 119090-00 | 119094-00 | 119095-00 | 119098-00 | 119100-00 | 119102-00 |
| 119104-00 | 119105-00 | 119106-00 | 119107-00 | 119108-00 | 119109-00 | 119110-00 |
| 119111-00 | 119112-00 | 119113-00 | 119114-00 | 119115-00 | 119116-00 | 119117-00 |
| 119118-00 | 119119-00 | 119120-00 | 119121-00 | 119122-00 | 119123-00 | 119124-00 |
| 119125-00 | 119126-00 | 119127-00 | 119128-00 | 119129-00 | 119130-00 | 216099-00 |

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/14/2004: POINT OF DIVERSION, TYPE OF HISTORICAL RIGHT, FLOW RATE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE FLOW RATE HAS NOT BEEN EXAMINED AS NO QUANTIFIED FLOW RATE WAS CLAIMED.
 THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8671.96.
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AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/1/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON BIRCH CREEK WITH A PRIORITY DATE PREDATING CASE NO. 0874 BEAVERHEAD COUNTY.

THE SOURCE NAME IS IN QUESTION. ELKHORN HOT SPRINGS USGS QUAD LABELS THIS LAKE AS CHAN LAKE. CHAIN LAKE WAS CLAIMED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119098-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

Priority Date: JUNE 30, 1894

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

***Flow Rate: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.**

Volume: 297.00 AC-FT

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNW	8	5S	11W	BEAVERHEAD

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

BIRCH CREEK IS USED AS A NATURAL CARRIER TO CONVEY WATER DIVERTED FROM TUB LAKE TO SECONDARY POINTS OF DIVERSIONS LOCATED IN:
 NENENW 20 05S 09W, NWSENW 20 05S 09W, NWSESW 36 04S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, NWNENE 02 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, SESESE 03 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, SESWNW 16 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, NWNESE 17 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W.

*Reservoir: ONSTREAM Reservoir Name: TUB LAKE

	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
		NW	8	5S	11W	BEAVERHEAD
Dam Height:		30.00	FEET			
Surface Area:		25.00	ACRES			
Capacity:		297.00	ACRE-FEET			

THE DAM HEIGHT HAS BEEN ESTIMATED BY DNRC.
 SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr	Sec	Twp	Rge	County
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SEW	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SEW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD

Total: 8,671.96

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/14/2004: POINT OF DIVERSION, TYPE OF HISTORICAL RIGHT, FLOW RATE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE FLOW RATE HAS NOT BEEN EXAMINED AS NO QUANTIFIED FLOW RATE WAS CLAIMED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40.00 ACRE DESCRIPTION AND EACH EXCEEDED 40.00 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965, , APPEARS TO INDICATE 5887.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON BIRCH CREEK WITH A PRIORITY DATE PREDATING CASE NO. 0874 BEAVERHEAD COUNTY.

THE FEDERAL DAM INVENTORY REPORT INDICATES THE TUB LAKE DAM WAS CONSTRUCTED IN 1904.

THE RESERVOIR DATA IS IN QUESTION. FEDERAL DAM INVENTORY INFORMATION (1981) SHOWS THE SURFACE AREA OF 15 ACRES, A DAM HEIGHT OF 11.5 FEET, AND A TOTAL STORAGE OF 208 ACRE-FEET.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119100-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

Priority Date: JUNE 30, 1894

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

***Flow Rate: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.**

Volume: 1,716.40 AC-FT

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		E2E2SW	5	5S	11W	BEAVERHEAD	

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

BIRCH CREEK IS USED AS A NATURAL CARRIER TO CONVEY WATER DIVERTED FROM PEAR LAKE TO SECONDARY DIVERSIONS LOCATED IN: NENENW 20 05S 09W, NWSENW 20 05S 09W, NWSESW 36 04S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, NWNENE 02 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, SESESE 03 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, SESWNW 16 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, NWNENE 17 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W.

*Reservoir: ONSTREAM Reservoir Name: PEAR LAKE

	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
		E2E2SW	5	5S	11W	BEAVERHEAD
Dam Height:		70.00	FEET			
Surface Area:		61.30	ACRES			
Capacity:		1,716.40	ACRE-FEET			

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr	Sec	Twp	Rge	County
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENE	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
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45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENESE	11	5S	9W	BEAVERHEAD
49	20.72		W2NENWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENE	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD
87	155.00		NE	15	6S	9W	BEAVERHEAD
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98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD

Total: 8,671.96

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/14/2004: POINT OF DIVERSION, TYPE OF HISTORICAL RIGHT, FLOW RATE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE FLOW RATE HAS NOT BEEN EXAMINED AS NO QUANTIFIED FLOW RATE WAS CLAIMED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40.00 ACRE DESCRIPTION AND EACH EXCEEDED 40.00 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1970, 09/17/1979 , APPEARS TO INDICATE 6532.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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THE FEDERAL DAM INVENTORY REPORT INDICATES THE PEAR LAKE DAM WAS CONSTRUCTED IN 1904.

THE RESERVOIR DATA IS IN QUESTION. FEDERAL DAM INVENTORY INFORMATION (1981) SHOWS THE SURFACE AREA OF 48 ACRES, A DAM HEIGHT OF 19 FEET AND A TOTAL STORAGE OF 481 ACRE-Feet.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119102-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

Priority Date: JULY 29, 1894

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

***Flow Rate: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.**

Volume: 603.80 AC-FT

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		E2NENE	6		5S	11W	BEAVERHEAD

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

BIRCH CREEK IS USED AS A NATURAL CARRIER TO CONVEY WATER DIVERTED FROM ANCHOR LAKE TO SECONDARY DIVERSIONS LOCATED IN: NENENW 20 05S 09W, NWSENW 20 05S 09W, NWSESW 36 04S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, NWNENE 02 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, SESESE 03 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, SESWNW 16 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, NWNENE 17 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, NENENW 20 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W.

***Reservoir:** ONSTREAM **Reservoir Name:** ANCHOR LAKE

<u>Govt Lot</u>	<u>Qtr Sec</u> E2NENE	<u>Sec</u> 6	<u>Twp</u> 5S	<u>Rge</u> 11W	<u>County</u> BEAVERHEAD
Surface Area:	50.32 ACRES				
Capacity:	603.80 ACRE-FEET				

THE DAM HEIGHT HAS BEEN ESTIMATED BY DNRC.
 SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
34	28.20		SENE	10	5S	9W	BEAVERHEAD
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENESE	11	5S	9W	BEAVERHEAD
49	20.72		W2NENWSE	11	5S	9W	BEAVERHEAD
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67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
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Total:	8,671.96						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/14/2004: POINT OF DIVERSION, TYPE OF HISTORICAL RIGHT, FLOW RATE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

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BIG HOLE RIVER
BASIN 41D
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THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119104-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

***Priority Date: DECEMBER 31, 1870**

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 2.50 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	36		4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
Total:	8,671.96						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40.00 ACRE DESCRIPTION AND EACH EXCEEDED 40.00 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119105-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

***Priority Date: DECEMBER 31, 1870**

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 3.00 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENW	SE	36	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 6				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
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85	615.00			13	6S	9W	BEAVERHEAD
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Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
Total:	8,671.96						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

THE COMPLETE SET OF DOCUMENTATION, MAPS AND OTHER RELATED MATERIALS CAN BE OBTAINED BY REVIEWING FILE NO. 119104-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15 AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119106-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

***Priority Date: DECEMBER 31, 1870**

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 314.16 GPM

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENWSE	36	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
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49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
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54	84.95		NW	12	5S	9W	BEAVERHEAD
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63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
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|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| 119089-00 | 119090-00 | 119094-00 | 119095-00 | 119098-00 | 119100-00 | 119102-00 |
| 119104-00 | 119105-00 | 119106-00 | 119107-00 | 119108-00 | 119109-00 | 119110-00 |
| 119111-00 | 119112-00 | 119113-00 | 119114-00 | 119115-00 | 119116-00 | 119117-00 |
| 119118-00 | 119119-00 | 119120-00 | 119121-00 | 119122-00 | 119123-00 | 119124-00 |
| 119125-00 | 119126-00 | 119127-00 | 119128-00 | 119129-00 | 119130-00 | 216099-00 |

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 07/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119107-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

***Priority Date: DECEMBER 31, 1870**

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 12.00 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	36		4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
Total:	8,671.96						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119108-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

***Priority Date: DECEMBER 31, 1871**

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 4.80 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	36		4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
Total:	8,671.96						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242, , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

**** THIS IS AN INTERBASIN TRANSFER CLAIM ****

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119109-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166

***Priority Date:** DECEMBER 31, 1872

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 9.70 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	36		4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
Total:	8,671.96						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242, , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119110-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

***Priority Date: DECEMBER 31, 1874**

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 9.68 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	36		4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
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77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
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82	37.00		S2NW	12	6S	9W	BEAVERHEAD
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Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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103	160.00		NW	26	6S	9W	BEAVERHEAD
Total:	8,671.96						

Remarks:

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119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

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AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119111-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

***Priority Date: DECEMBER 31, 1881**

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 2.90 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	36		4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
Total:	8,671.96						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 10.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1995, 09/17/1995 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINT OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119112-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

***Priority Date: DECEMBER 31, 1881**

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 3.60 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	36		4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		HAINING DITCH				
Period of Use:		JANUARY 1 TO DECEMBER 31				

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
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Place of Use:

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87	155.00		NE	15	6S	9W	BEAVERHEAD
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96	160.00		SE	24	6S	9W	BEAVERHEAD
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98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
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101	40.00		NWSE	25	6S	9W	BEAVERHEAD
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103	160.00		NW	26	6S	9W	BEAVERHEAD
Total:	8,671.96						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

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USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119113-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

***Priority Date: DECEMBER 31, 1881**

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 8.75 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	36		4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
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64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
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72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
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119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
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AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119114-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

Priority Date: JULY 1, 1881

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 2.00 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	36		4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD

Total: 8,671.96

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 80 MINER'S INCHES DECREED IN CASE NO. 874 , BEAVERHEAD COUNTY. 119114-00, 184605-00, 184606-00.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1995, 09/17/1995 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119115-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

***Priority Date: DECEMBER 31, 1883**

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 3.00 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	SE	SW	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 1

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
Total:	8,671.96						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/1/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119116-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

***Priority Date: APRIL 30, 1883**

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 3.48 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	36		4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
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14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
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21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
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48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
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63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
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Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
Total:	8,671.96						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

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THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119117-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

Priority Date: MAY 29, 1883

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 4.45 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENWSE	36	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
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119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119118-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

***Priority Date: DECEMBER 31, 1883**

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 1.75 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	36		4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
Total:	8,671.96						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-2FF-102, CXM-2FF-103, CXM-2FF-166, CXM-2FF-168, CXM-2FF-170, CXM-2FF-176, CXM-2FF-178, CXM-3FF-40, CXM-3FF-41, CXM-3FF-42, CXM-3FF-46, CXM-3FF-48, CXM-3FF-89, CXM-3FF-91 , DATED 07/31/65, 08/1/65 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119119-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

***Priority Date: DECEMBER 31, 1883**

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 4.50 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	36		4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
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Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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92	141.00		SE	23	6S	9W	BEAVERHEAD
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103	160.00		NW	26	6S	9W	BEAVERHEAD
Total:	8,671.96						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 8/17/2005.

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119120-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

Priority Date: MAY 1, 1883

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 3.13 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	36		4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
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66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
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119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
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ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119121-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

***Priority Date: DECEMBER 31, 1884**

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 3.00 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	36		4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
Total:	8,671.96						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

- 119089-00 119090-00 119094-00 119095-00 119098-00 119100-00 119102-00
- 119104-00 119105-00 119106-00 119107-00 119108-00 119109-00 119110-00
- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

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DILLON, MT 59725 0166**

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Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

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	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
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	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
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	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

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	Diversion Means:	HEADGATE				
	Ditch Name:	HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

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5	79.00		SE	36	4S	9W	BEAVERHEAD
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8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
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14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
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19	34.89		SWNW	2	5S	9W	BEAVERHEAD
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24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
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Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
Total:	8,671.96						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 162 MINER'S INCHES DECREED IN CASE NO. 773/774 , BEAVERHEAD COUNTY. 93292-00, 119122-00.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119123-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

***Priority Date: DECEMBER 31, 1884**

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 3.20 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	36		4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
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49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
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51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
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54	84.95		NW	12	5S	9W	BEAVERHEAD
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57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
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63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
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Total:	8,671.96						

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- 119111-00 119112-00 119113-00 119114-00 119115-00 119116-00 119117-00
- 119118-00 119119-00 119120-00 119121-00 119122-00 119123-00 119124-00
- 119125-00 119126-00 119127-00 119128-00 119129-00 119130-00 216099-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119124-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

***Priority Date: DECEMBER 31, 1884**

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 4.50 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	36		4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
Total:	8,671.96						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

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THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

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AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119125-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

Priority Date: JUNE 9, 1884

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 5.42 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	36		4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
Total:	8,671.96						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1995, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119126-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

***Priority Date: DECEMBER 31, 1885**

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 4.20 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	36		4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
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17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
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81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
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83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
Total:	8,671.96						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 6/14/2004.

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THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779/242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119127-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

***Priority Date: DECEMBER 31, 1888**

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 3.60 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	36		4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
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119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

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BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119128-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

Priority Date: SEPTEMBER 1, 1894

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 22.50 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	36		4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
Total:	8,671.96						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979, 09/17/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

**** THIS IS AN INTERBASIN TRANSFER CLAIM ****

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119129-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166

***Priority Date:** AUGUST 31, 1900

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 30.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENWSE	36	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	29.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	153.78		NW	11	5S	9W	BEAVERHEAD
46	45.06		NESE	11	5S	9W	BEAVERHEAD
47	1.39		NENWSE	11	5S	9W	BEAVERHEAD
48	5.50		SENWSE	11	5S	9W	BEAVERHEAD
49	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
50	46.22		SESE	11	5S	9W	BEAVERHEAD
51	57.97		SWSE	11	5S	9W	BEAVERHEAD
52	64.73		E2SW	11	5S	9W	BEAVERHEAD
53	13.31		NWSW	11	5S	9W	BEAVERHEAD
54	84.95		NW	12	5S	9W	BEAVERHEAD
55	65.72		SW	12	5S	9W	BEAVERHEAD
56	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
57	105.90		NE	14	5S	9W	BEAVERHEAD
58	14.08		NENW	14	5S	9W	BEAVERHEAD
59	114.52		SW	15	5S	9W	BEAVERHEAD
60	40.00		SWSE	16	5S	9W	BEAVERHEAD
61	154.00		SW	16	5S	9W	BEAVERHEAD
62	122.00		SE	17	5S	9W	BEAVERHEAD
63	76.00		N2NE	20	5S	9W	BEAVERHEAD
64	120.00		E2	21	5S	9W	BEAVERHEAD
65	40.00		NWNW	21	5S	9W	BEAVERHEAD
66	40.00		NESW	21	5S	9W	BEAVERHEAD
67	38.16		NWSW	21	5S	9W	BEAVERHEAD
68	40.00		SESW	21	5S	9W	BEAVERHEAD
69	40.00		SWSW	21	5S	9W	BEAVERHEAD
70	28.01		NENW	22	5S	9W	BEAVERHEAD
71	30.36		NWNW	22	5S	9W	BEAVERHEAD
72	13.31		SENW	22	5S	9W	BEAVERHEAD
73	33.57		SWNW	22	5S	9W	BEAVERHEAD
74	1.38		NWNESW	22	5S	9W	BEAVERHEAD
75	26.17		NWSW	22	5S	9W	BEAVERHEAD
76	21.58		SWSW	22	5S	9W	BEAVERHEAD
77	100.00		SE	1	6S	9W	BEAVERHEAD
78	150.00		SE	10	6S	9W	BEAVERHEAD
79	615.00			11	6S	9W	BEAVERHEAD
80	157.00		NE	12	6S	9W	BEAVERHEAD
81	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
82	37.00		S2NW	12	6S	9W	BEAVERHEAD
83	157.00		SE	12	6S	9W	BEAVERHEAD
84	160.00		SW	12	6S	9W	BEAVERHEAD
85	615.00			13	6S	9W	BEAVERHEAD
86	602.00			14	6S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
87	155.00		NE	15	6S	9W	BEAVERHEAD
88	160.00		SE	15	6S	9W	BEAVERHEAD
89	230.00		E2	22	6S	9W	BEAVERHEAD
90	105.00		NE	23	6S	9W	BEAVERHEAD
91	147.00		NW	23	6S	9W	BEAVERHEAD
92	141.00		SE	23	6S	9W	BEAVERHEAD
93	160.00		SW	23	6S	9W	BEAVERHEAD
94	155.00		NE	24	6S	9W	BEAVERHEAD
95	158.00		NW	24	6S	9W	BEAVERHEAD
96	160.00		SE	24	6S	9W	BEAVERHEAD
97	151.00		SW	24	6S	9W	BEAVERHEAD
98	35.00		NENE	25	6S	9W	BEAVERHEAD
99	79.00		W2NE	25	6S	9W	BEAVERHEAD
100	151.00		NW	25	6S	9W	BEAVERHEAD
101	40.00		NWSE	25	6S	9W	BEAVERHEAD
102	150.00		NE	26	6S	9W	BEAVERHEAD
103	160.00		NW	26	6S	9W	BEAVERHEAD
Total:	8,671.96						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/14/2004.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 119130-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD WATER CO
PO BOX 166
DILLON, MT 59725 0166**

***Priority Date: OCTOBER 31, 1900**

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 7.00 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 7,696.55

Source Name: WILLOW CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	36		4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: RUSSELL DITCH NO. 2

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWSE	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 3				
3		NWSESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL DITCH NO. 1				
4		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 2				
5		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	RUSSELL-BLUNT-SELWAY DITCH				
6		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
7		NESWNE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	CEMETERY DITCH				
8		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	FRANCES DITCH				
9		SESESE	3	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	UPPER MEADOW DITCH				
10		SWNESW	10	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN DITCH				
11		NESWNE	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 11				
12		SESWNW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	OLIVER DITCH NO. 12				
13		SWNESW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAURER-SWARTZ DITCH				
14		SENWSW	16	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 4				
15		NWNESE	17	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MARCHESSEAU DITCH NO. 3				
16		NWSESW	19	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BEAVERHEAD WATER CO DITCH				

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
17		NENWNE	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MAIN-WILLIS DITCH				
18		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 1				
19		NENENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		MARCHESSEAU DITCH NO. 2				
20		NWSENW	20	5S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		HAINING DITCH				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	153.74		W2	31	4S	8W	BEAVERHEAD
2	38.62		SESE	35	4S	9W	BEAVERHEAD
3	34.49		SWSE	35	4S	9W	BEAVERHEAD
4	1.84		SESW	35	4S	9W	BEAVERHEAD
5	79.00		SE	36	4S	9W	BEAVERHEAD
6	35.81		NESW	36	4S	9W	BEAVERHEAD
7	39.38		SESW	36	4S	9W	BEAVERHEAD
8	27.55		SWSW	36	4S	9W	BEAVERHEAD
9	55.35		E2NW	6	5S	8W	BEAVERHEAD
10	33.51		E2NE	1	5S	9W	BEAVERHEAD
11	72.10		W2NE	1	5S	9W	BEAVERHEAD
12	143.76		NW	1	5S	9W	BEAVERHEAD
13	61.06		N2SW	1	5S	9W	BEAVERHEAD
14	22.04		SESW	1	5S	9W	BEAVERHEAD
15	8.26		SESWSW	1	5S	9W	BEAVERHEAD
16	131.52		NE	2	5S	9W	BEAVERHEAD
17	30.76		NENW	2	5S	9W	BEAVERHEAD
18	26.17		SENW	2	5S	9W	BEAVERHEAD
19	34.89		SWNW	2	5S	9W	BEAVERHEAD
20	136.99		SE	2	5S	9W	BEAVERHEAD
21	149.90		SW	2	5S	9W	BEAVERHEAD
22	22.50		E2SE	3	5S	9W	BEAVERHEAD
23	26.00		SESW	3	5S	9W	BEAVERHEAD
24	25.00		SWSW	3	5S	9W	BEAVERHEAD
25	76.00		NE	9	5S	9W	BEAVERHEAD
26	4.00		SWNW	9	5S	9W	BEAVERHEAD
27	110.00		SE	9	5S	9W	BEAVERHEAD
28	33.98		NENE	10	5S	9W	BEAVERHEAD
29	16.07		NWNE	10	5S	9W	BEAVERHEAD
30	13.77		SENE	10	5S	9W	BEAVERHEAD
31	40.00		SWNE	10	5S	9W	BEAVERHEAD
32	12.00		W2NENW	10	5S	9W	BEAVERHEAD
33	30.00		NWNW	10	5S	9W	BEAVERHEAD
34	28.20		SENW	10	5S	9W	BEAVERHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr	Sec	Twp	Rge	County
35	30.00		SWNW	10	5S	9W	BEAVERHEAD
36	7.12		W2E2SE	10	5S	9W	BEAVERHEAD
37	79.09		W2SE	10	5S	9W	BEAVERHEAD
38	26.63		NESW	10	5S	9W	BEAVERHEAD
39	6.00		NWNESW	10	5S	9W	BEAVERHEAD
40	7.00		SWNESW	10	5S	9W	BEAVERHEAD
41	30.00		NWSW	10	5S	9W	BEAVERHEAD
42	14.00		W2SESW	10	5S	9W	BEAVERHEAD
43	30.00		SWSW	10	5S	9W	BEAVERHEAD
44	102.63		NE	11	5S	9W	BEAVERHEAD
45	45.06		NESE	11	5S	9W	BEAVERHEAD
46	1.39		NENWSE	11	5S	9W	BEAVERHEAD
47	5.50		SENWSE	11	5S	9W	BEAVERHEAD
48	20.72		W2NWSE	11	5S	9W	BEAVERHEAD
49	46.22		SESE	11	5S	9W	BEAVERHEAD
50	57.97		SWSE	11	5S	9W	BEAVERHEAD
51	64.73		E2SW	11	5S	9W	BEAVERHEAD
52	13.31		NWSW	11	5S	9W	BEAVERHEAD
53	84.95		NW	12	5S	9W	BEAVERHEAD
54	65.72		SW	12	5S	9W	BEAVERHEAD
55	1.84		NWNWNW	13	5S	9W	BEAVERHEAD
56	105.90		NE	14	5S	9W	BEAVERHEAD
57	14.08		NENW	14	5S	9W	BEAVERHEAD
58	114.52		SW	15	5S	9W	BEAVERHEAD
59	40.00		SWSE	16	5S	9W	BEAVERHEAD
60	154.00		SW	16	5S	9W	BEAVERHEAD
61	122.00		SE	17	5S	9W	BEAVERHEAD
62	76.00		N2NE	20	5S	9W	BEAVERHEAD
63	120.00		E2	21	5S	9W	BEAVERHEAD
64	40.00		NWNW	21	5S	9W	BEAVERHEAD
65	40.00		NESW	21	5S	9W	BEAVERHEAD
66	38.16		NWSW	21	5S	9W	BEAVERHEAD
67	40.00		SESW	21	5S	9W	BEAVERHEAD
68	40.00		SWSW	21	5S	9W	BEAVERHEAD
69	28.01		NENW	22	5S	9W	BEAVERHEAD
70	30.36		NWNW	22	5S	9W	BEAVERHEAD
71	13.31		SENW	22	5S	9W	BEAVERHEAD
72	33.57		SWNW	22	5S	9W	BEAVERHEAD
73	1.38		NWNESW	22	5S	9W	BEAVERHEAD
74	26.17		NWSW	22	5S	9W	BEAVERHEAD
75	21.58		SWSW	22	5S	9W	BEAVERHEAD
76	100.00		SE	1	6S	9W	BEAVERHEAD
77	150.00		SE	10	6S	9W	BEAVERHEAD
78	615.00			11	6S	9W	BEAVERHEAD
79	157.00		NE	12	6S	9W	BEAVERHEAD
80	5.00		SWNWNW	12	6S	9W	BEAVERHEAD
81	37.00		S2NW	12	6S	9W	BEAVERHEAD
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83	160.00		SW	12	6S	9W	BEAVERHEAD
84	615.00			13	6S	9W	BEAVERHEAD
85	602.00			14	6S	9W	BEAVERHEAD
86	155.00		NE	15	6S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
87	160.00		SE	15	6S	9W	BEAVERHEAD
88	230.00		E2	22	6S	9W	BEAVERHEAD
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98	79.00		W2NE	25	6S	9W	BEAVERHEAD
99	151.00		NW	25	6S	9W	BEAVERHEAD
100	40.00		NWSE	25	6S	9W	BEAVERHEAD
101	150.00		NE	26	6S	9W	BEAVERHEAD
102	160.00		NW	26	6S	9W	BEAVERHEAD

Total: 8,528.18

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

119089-00	119090-00	119094-00	119095-00	119098-00	119100-00	119102-00
119104-00	119105-00	119106-00	119107-00	119108-00	119109-00	119110-00
119111-00	119112-00	119113-00	119114-00	119115-00	119116-00	119117-00
119118-00	119119-00	119120-00	119121-00	119122-00	119123-00	119124-00
119125-00	119126-00	119127-00	119128-00	119129-00	119130-00	216099-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 10/20/1982.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 8,671.96.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. PARCELS 46, 50, AND 51 WERE EACH CLAIMED IN A 40 ACRE DESCRIPTION AND EACH EXCEEDED 40 ACRES IRRIGATED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 14.

USDA AERIAL PHOTOGRAPH NO(S). 779-238, 879-26, 779-240, 779-242 , DATED 09/18/1979 , APPEARS TO INDICATE 6532.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-102, CXM 2FF-103, CXM 2FF-166, CXM 2FF-168, CXM 2FF-170, CXM 2FF-176, CXM 2FF-178, CXM 3FF-40, CXM 3FF-41, CXM 3FF-42, CXM 3FF-46, CXM 3FF-48, CXM 3FF-89, CXM 3FF-91 , DATED 07/31/1965, 08/01/1965 , APPEARS TO INDICATE 5887.15 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

POINTS OF DIVERSION NOS. 1, 2, 11, 13, 15, AND 18 CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 120822-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: COMPLETE FLY FISHER LLC
PO BOX 127
WISE RIVER, MT 59762 0127

Priority Date: APRIL 1, 1972

Type of Historical Right: USE

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 80.00 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 8.00

Source Name: BIG HOLE RIVER
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWSW	36	1N	11W	BEAVERHEAD

Diversion Means: PUMP

Period of Use: MAY 1 TO JULY 29

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.00		NESWSW	36	1N	11W	BEAVERHEAD
2	2.00		NWSWSW	36	1N	11W	BEAVERHEAD
3	1.00		SESWSW	36	1N	11W	BEAVERHEAD
4	3.00		SWSWSW	36	1N	11W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	8.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

120822-00 120824-00

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 09/11/1991.

THE MAXIMUM ACRES WAS AMENDED BY THE CLAIMANT ON 05/18/1999.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 120823-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: COMPLETE FLY FISHER LLC
PO BOX 127
WISE RIVER, MT 59762 0127

Priority Date: JANUARY 1, 1875

Type of Historical Right: FILED

Purpose(use): DOMESTIC

Flow Rate: 20.00 GPM

Volume: 11.00 AC-FT

Households: 1

Maximum Acres: 5.00

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWSW	36	1N	11W	BEAVERHEAD

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	5.00		SESWSW	36	1N	11W	BEAVERHEAD

Total: 5.00

Remarks:

THE VOLUME WAS AMENDED BY THE CLAIMANT ON 09/11/1991.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 120824-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: COMPLETE FLY FISHER LLC
PO BOX 127
WISE RIVER, MT 59762 0127

Priority Date: JANUARY 1, 1875

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 136.00 GPM

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 8.00

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF WISE RIVER

Source Type: SURFACE WATER

THIS WATER RIGHT ALSO INCLUDES GROUNDWATER FROM A DEVELOPED SPRING IN THE NESESE SEC 35 TWP 1N RGE 11W BEAVERHEAD COUNTY.

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	SESE	35	1N 11W	BEAVERHEAD

Diversion Means: HEADGATE

2		SE	NESE	35	1N 11W	BEAVERHEAD
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Diversion Means: HEADGATE

Period of Use: MAY 1 TO JULY 29

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.00		NESWSW	36	1N	11W	BEAVERHEAD
2	2.00		NWSWSW	36	1N	11W	BEAVERHEAD
3	1.00		SESWSW	36	1N	11W	BEAVERHEAD
4	3.00		SWSWSW	36	1N	11W	BEAVERHEAD
Total:	8.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

120822-00 120824-00

THE MAXIMUM ACRES WAS AMENDED BY THE CLAIMANT ON 05/18/1999.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

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Water Right Number: 41D 120825-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: BIG HOLE RIVER ASSOCIATES
17922 FITCH #100
IRVINE, CA 92614 6017

Priority Date: JANUARY 1, 1875

Type of Historical Right: FILED

Purpose(use): COMMERCIAL
Purpose Clarification: FLY FISHING INSTRUCTION POND

Flow Rate: 112.20 GPM

***Volume:** THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF WISE RIVER
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENESE	35		1N	11W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESWSW	36	1N	11W	BEAVERHEAD

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE WAS NOT EXAMINED AS NO FLOW RATE GUIDELINES FOR THIS PURPOSE HAVE BEEN ESTABLISHED BY THE CLAIM EXAMINATION RULES.

THE CLAIMED VOLUME WAS NOT EXAMINED AS NO VOLUME GUIDELINES FOR THIS PURPOSE HAVE BEEN ESTABLISHED BY THE CLAIMS EXAMINATION RULES.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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Water Right Number: 41D 120832-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

JEFFERY L FAIRLESS
35 HARTLEN AVE
HALIFAX NOVA SCOTIA B3R 1R5
CANADA

LEONA REED
RT 4 BOX 226
RIGBY, ID 83442

MICHAEL S FAIRLESS
BOX 1
BIG CREEK, BRITISH COLUMBIA
CANADA

PHYLLIS ERB
540 SKYLINE DR
DILLON, MT 59725 9536

REF PARTNERSHIP
555 SKYLINE DR
DILLON, MT 59725 9536

Priority Date: MAY 14, 1920

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BULL CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWSE	6	6S	13W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JUNE 20 TO OCTOBER 24

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNWSE	6	6S	13W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 120833-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

JEFFERY L FAIRLESS
35 HARTLEN AVE
HALIFAX NOVA SCOTIA B3R 1R5
CANADA

LEONA REED
RT 4 BOX 226
RIGBY, ID 83442

MICHAEL S FAIRLESS
BOX 1
BIG CREEK, BRITISH COLUMBIA
CANADA

PHYLLIS ERB
540 SKYLINE DR
DILLON, MT 59725 9536

REF PARTNERSHIP
555 SKYLINE DR
DILLON, MT 59725 9536

Priority Date: MAY 14, 1920

Type of Historical Right: USE

Purpose(uses): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BULL CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWSE	6	6S	13W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JUNE 20 TO OCTOBER 24

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSWSE	6	6S	13W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 120835-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JEFFERY L FAIRLESS
35 HARTLEN AVE
HALIFAX NOVA SCOTIA B3R 1R5
CANADA

LEONA REED
RT 4 BOX 226
RIGBY, ID 83442

MICHAEL S FAIRLESS
BOX 1
BIG CREEK, BRITISH COLUMBIA
CANADA

PHYLLIS ERB
540 SKYLINE DR
DILLON, MT 59725 9536

REF PARTNERSHIP
555 SKYLINE DR
DILLON, MT 59725 9536

Priority Date: MAY 14, 1920

Type of Historical Right: USE

Purpose(uses): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BULL CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWNE	6	6S	13W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JUNE 20 TO OCTOBER 24

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSWNE	6	6S	13W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 120836-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

JEFFERY L FAIRLESS
35 HARTLEN AVE
HALIFAX NOVA SCOTIA B3R 1R5
CANADA

LEONA REED
RT 4 BOX 226
RIGBY, ID 83442

MICHAEL S FAIRLESS
BOX 1
BIG CREEK, BRITISH COLUMBIA
CANADA

PHYLLIS ERB
540 SKYLINE DR
DILLON, MT 59725 9536

REF PARTNERSHIP
555 SKYLINE DR
DILLON, MT 59725 9536

Priority Date: MAY 14, 1920

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BULL CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNE	6	6S	13W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JUNE 20 TO OCTOBER 24

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESWNE	6	6S	13W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 120996-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOHNSON BROTHERS INC
PO BOX 852
JACKSON, MT 59736 0852

Priority Date: SEPTEMBER 15, 1888

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 12.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 500.00

Source Name: LITTLE LAKE CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWN	SW 7	5S	15W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: SCHATZLEIN DITCH

2		NE	E 7	5S	15W	BEAVERHEAD
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Diversion Means: HEADGATE

Ditch Name: SCHATZLEIN DITCH

Period of Use: MAY 1 TO SEPTEMBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		SESE	5	5S	15W	BEAVERHEAD
2	80.00		N2SE	7	5S	15W	BEAVERHEAD
3	300.00		N2	8	5S	15W	BEAVERHEAD
4	80.00		N2S2	8	5S	15W	BEAVERHEAD
Total:	500.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

120996-00 120997-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/11/1991: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 15299-00, 210996-00.

USDA AERIAL PHOTOGRAPH NO(S). 979-035 AND 979-053 , DATED 09/19/1979 , APPEARS TO INDICATE 349.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 12P-133 AND CXM 4P-161 , DATED 08/09/1955 , APPEARS TO INDICATE 344.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 120997-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: JOHNSON BROTHERS INC
PO BOX 852
JACKSON, MT 59736 0852

Priority Date: MAY 15, 1892

Type of Historical Right: FILED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 10.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 450.00

Source Name: LITTLE LAKE CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSENE	13	5S	16W	BEAVERHEAD

Diversion Means: HEADGATE
Ditch Name: PEDER JENSEN DITCH

Period of Use: MAY 1 TO SEPTEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	90.00		SE	7	5S	15W	BEAVERHEAD
2	50.00		E2SW	7	5S	15W	BEAVERHEAD
3	310.00			8	5S	15W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	450.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

120996-00 120997-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/11/1991: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-035 AND 979-053 , DATED 09/19/1979 , APPEARS TO INDICATE 484.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 12P-133 AND CXM 4P-161 , DATED 07/19/1955, 08/09/1955 , APPEARS TO INDICATE 463.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 120998-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: JOHNSON BROTHERS INC
PO BOX 852
JACKSON, MT 59736 0852

Priority Date: OCTOBER 24, 1898

Type of Historical Right: FILED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 2.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 100.00

Source Name: LITTLE LAKE CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNE	23	5S	16W	BEAVERHEAD

Diversion Means: HEADGATE
Ditch Name: SAM ZURKIRCHEN DITCH

Period of Use: MAY 1 TO SEPTEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		S2SE	13	5S	16W	BEAVERHEAD
2	60.00		N2NE	24	5S	16W	BEAVERHEAD
Total:	100.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

120998-00 121000-00 211983-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-053 AND 979-035 , DATED 09/19/1979 , APPEARS TO INDICATE 117.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 120999-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOHNSON BROTHERS INC
PO BOX 852
JACKSON, MT 59736 0852

Priority Date: NOVEMBER 15, 1902

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 7.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 250.00

Source Name: LITTLE LAKE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNE	23	5S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: NELSON DITCH

Period of Use: MAY 1 TO SEPTEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00		N2NW	17	5S	15W	BEAVERHEAD
2	100.00		NE	18	5S	15W	BEAVERHEAD
3	80.00		S2NW	18	5S	15W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	50.00		N2SW	18	5S	15W	BEAVERHEAD
Total:	250.00						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/11/1991: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 979-035 AND 979-053 , DATED 09/19/1979 , APPEARS TO INDICATE 182.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 12P-131, CXM 12P-133 AND CXM 12P-112 , DATED 08/09/1955, 07/19/1955 , APPEARS TO INDICATE 144.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121000-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOHNSON BROTHERS INC
PO BOX 852
JACKSON, MT 59736 0852

Priority Date: AUGUST 19, 1902

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 4.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 160.00

Source Name: LITTLE LAKE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNE	23	5S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: SAM ZURKIRCHEN DITCH NO. 2

Period of Use: MAY 1 TO SEPTEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	50.00		S2NE	13	5S	16W	BEAVERHEAD
2	80.00		N2SE	13	5S	16W	BEAVERHEAD
3	30.00		S2SE	13	5S	16W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	160.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

120998-00 121000-00 211983-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-053 AND 979-035 , DATED 09/19/1979 , APPEARS TO INDICATE 138.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 12P-112 AND CXM 120-131 , DATED 08/09/1955 , APPEARS TO INDICATE 120.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121001-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: JOHNSON BROTHERS INC
PO BOX 852
JACKSON, MT 59736 0852

Priority Date: APRIL 10, 1912

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 1.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 40.00

Source Name: SWAMP CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNE	14	5S	16W	BEAVERHEAD

Diversion Means: HEADGATE
Ditch Name: JOHNSON DITCH

Period of Use: MAY 1 TO SEPTEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		NWNE	14	5S	16W	BEAVERHEAD
Total:	40.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 979-053 , DATED 09/19/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM 12P-112 , DATED 09/19/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121002-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: JOHNSON BROTHERS INC
PO BOX 852
JACKSON, MT 59736 0852

Priority Date: NOVEMBER 18, 1909

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 3.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 120.00

Source Name: SWAMP CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNE	14	5S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: JOHNSON DITCH

2		SESWSW	12	5S	16W	BEAVERHEAD
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Diversion Means: HEADGATE

Period of Use: MAY 1 TO SEPTEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		SESE	11	5S	16W	BEAVERHEAD
2	80.00		S2SW	12	5S	16W	BEAVERHEAD
Total:	120.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED CONVEYANCE DITCH CANNOT BE IDENTIFIED FROM AVAILABLE DATA.
FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
USDA AERIAL PHOTOGRAPH NO(S). 979-053 , DATED 09/19/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
AERIAL PHOTOGRAPH NO(S). CXM 12P-112 AND CXM 12P-133 , DATED 08/09/1955 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121003-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOHNSON BROTHERS INC
PO BOX 852
JACKSON, MT 59736 0852

Priority Date: JUNE 12, 1897

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 10.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 270.00

***Source Name:** MINER CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NEN	SW 17	5S	15W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		SE	SE 18	5S	15W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		SE	SW 18	5S	15W	BEAVERHEAD
	Diversion Means:	HEADGATE				
4		NWN	NE 19	5S	15W	BEAVERHEAD
	Diversion Means:	HEADGATE				

Period of Use: MAY 1 TO SEPTEMBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	90.00		W2	17	5S	15W	BEAVERHEAD
2	180.00		E2	18	5S	15W	BEAVERHEAD
Total:	270.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

121003-00 121004-00 121005-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/21/1998: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/11/1991: MAXIMUM ACRES, PLACE OF USE.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 07/26/2006.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59711-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121004-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOHNSON BROTHERS INC
PO BOX 852
JACKSON, MT 59736 0852

Priority Date: JUNE 10, 1899

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 7.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 290.00

***Source Name:** MINER CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWN	SW 36	5S	16W	BEAVERHEAD

Diversion Means: HEADGATE

WATER FROM MINER CREEK IS CONVEYED THROUGH AN UNNAMED TRIBUTARY TO THE PLACE OF USE.

Period of Use: MAY 1 TO SEPTEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	50.00		NE	18	5S	15W	BEAVERHEAD
2	120.00		SE	18	5S	15W	BEAVERHEAD
3	120.00		SW	18	5S	15W	BEAVERHEAD
Total:	290.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

121003-00 121004-00 121005-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/11/1991: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

AERIAL PHOTOGRAPH NO(S). CXM 12P-130 AND CXM 12P-131 , DATED 08/09/1955 , APPEARS TO INDICATE 221.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121005-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOHNSON BROTHERS INC
PO BOX 852
JACKSON, MT 59736 0852

Priority Date: JUNE 1, 1899

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 8.75 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 300.00

Source Name: MINER CREEK

Source Type: SURFACE WATER

Source Name: MINER CREEK, NORTH BRANCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSE	20	5S	15W	BEAVERHEAD

Source Name: MINER CREEK

Diversion Means: HEADGATE

Ditch Name: PILCHER DITCH

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NENWNE	20	5S	15W	BEAVERHEAD
Source Name: MINER CREEK, NORTH BRANCH						
Diversion Means: HEADGATE						
Ditch Name: PILCHER DITCH						
3		NESWSE	17	5S	15W	BEAVERHEAD
Source Name: MINER CREEK, NORTH BRANCH						
Diversion Means: HEADGATE						
Ditch Name: PILCHER DITCH						
Period of Use: MAY 1 TO SEPTEMBER 4						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	300.00			17	5S	15W	BEAVERHEAD
Total:	300.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

121003-00 121004-00 121005-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/11/1991: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 350 MINER'S INCHES DECREED IN CASE NO. 4584 , BEAVERHEAD COUNTY. 44381-00, 44385-00, 121005-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121006-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOHNSON BROTHERS INC
PO BOX 852
JACKSON, MT 59736 0852

***Priority Date:** MAY 31, 1911

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

ALSO KNOWN AS SPRING NO. 1

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWSW	8	5S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		SESWSW	8	5S	15W	BEAVERHEAD
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Diversion Means: PIPELINE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SW	SES	W	8	BEAVERHEAD
2			SE	SW	W	8	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

121006-00 121010-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121007-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: JOHNSON BROTHERS INC
PO BOX 852
JACKSON, MT 59736 0852

***Priority Date:** MAY 31, 1911

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER
ALSO KNOWN AS SPRING NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWNE	8	5S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESWNE	8	5S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121008-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOHNSON BROTHERS INC
PO BOX 852
JACKSON, MT 59736 0852

***Priority Date:** MAY 31, 1911

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF LITTLE LAKE CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS SPRING NO. 3

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNE	24	5S	16W	BEAVERHEAD

Diversion Means: UNDEVELOPED SPRING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2NE	24	5S	16W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121009-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOHNSON BROTHERS INC
PO BOX 852
JACKSON, MT 59736 0852

***Priority Date:** OCTOBER 31, 1925

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

ALSO KNOWN AS SPRING NO. 4

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	17	5S	15W	BEAVERHEAD

Diversion Means: UNDEVELOPED SPRING

Period of Use: JANUARY 1 TO DECEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2SE	17	5S	15W	BEAVERHEAD
2			NENSW	17	5S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121010-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOHNSON BROTHERS INC
PO BOX 852
JACKSON, MT 59736 0852

***Priority Date:** MAY 31, 1911

Type of Historical Right: USE

***Purpose(use):** MULTIPLE DOMESTIC

Flow Rate: 5.00 GPM

Volume: 3.00 AC-FT

Households: 2

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: GROUNDWATER

ALSO KNOWN AS SPRING NO. 1

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWW	8	5S	15W	BEAVERHEAD

Diversion Means: PIPELINE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESEW	8	5S	15W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

121006-00 121010-00

THE VOLUME WAS AMENDED BY THE CLAIMANT ON 10/11/1991.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED VOLUME EXCEEDS THE 2.00 ACRE-FEET GUIDELINE FOR THIS PURPOSE. ITS ACCURACY CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121014-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: WALTER R WILLEY JR
1051 SHADY SPRINGS
SAINT GEORGE, UT 84770

Priority Date: MAY 10, 1897

Type of Historical Right: DECREED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 1.25 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 615.00

***Source Name:** UNNAMED TRIBUTARY OF MIFFLIN CREEK
Source Type: SURFACE WATER
ALSO KNOWN AS SMALL SPRING CREEK

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWNW	6	4S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	160.00		SW	5	4S	16W	BEAVERHEAD
2	125.00		S2	6	4S	16W	BEAVERHEAD
3	90.00		NE	7	4S	16W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	160.00		NW	8	4S	16W	BEAVERHEAD
5	80.00		N2SW	8	4S	16W	BEAVERHEAD
Total:	615.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

121014-00 121016-00 121019-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 121014-00, 121016-00, 121018-00, 121019-00, 121020-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121016-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: WALTER R WILLEY JR
1051 SHADY SPRINGS
SAINT GEORGE, UT 84770

***Priority Date:** MAY 6, 1897

Type of Historical Right: DECREED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 12.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 615.00

Source Name: MOOSE CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNW	36	3S	17W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	160.00		SW	5	4S	16W	BEAVERHEAD
2	125.00		S2	6	4S	16W	BEAVERHEAD
3	90.00		NE	7	4S	16W	BEAVERHEAD
4	160.00		NW	8	4S	16W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5	80.00		N2SW	8	4S	16W	BEAVERHEAD
Total:	615.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

121014-00 121016-00 121019-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

121016-00 121025-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 121014-00, 121016-00, 121018-00, 121019-00, 121020-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121017-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: ADELE P ROUSE
200 GREEN MEADOW DR
DILLON, MT 59725 8228

EMORY H ROUSE
1660 WEBSTER LN
DILLON, MT 59725 9433

Priority Date: MAY 17, 1919

Type of Historical Right: FILED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 4.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 340.00

***Source Name:** SPRING, UNNAMED TRIBUTARY OF ROCK CREEK
Source Type: SURFACE WATER
ALSO KNOWN AS HIRT SPRINGS

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESENE	13	4S	17W	BEAVERHEAD
Diversion Means:		DITCH					
2			NWSWNW	18	4S	16W	BEAVERHEAD
Diversion Means:		DITCH					
Period of Use:		MAY 1 TO NOVEMBER 30					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	80.00		NE	7	4S	16W	BEAVERHEAD
2	75.00		W2SE	7	4S	16W	BEAVERHEAD
3	40.00		SESW	7	4S	16W	BEAVERHEAD
4	80.00		W2NE	18	4S	16W	BEAVERHEAD
5	65.00		E2NW	18	4S	16W	BEAVERHEAD
Total:	340.00						

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

121017-00 121022-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/30/1989: PURPOSE, POINT OF DIVERSION.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/10/1989: POINT OF DIVERSION, PLACE OF USE, PERIOD OF USE.

THE PURPOSE WAS AMENDED BY THE CLAIMANT ON 04/03/1995.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121018-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SUNNYSLOPE LAND & CATTLE CO INC
1051 SHADY SPRINGS
SAINT GEORGE, UT 84770 6806

Priority Date: AUGUST 24, 1935

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 12.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 910.00

Source Name: MIFFLIN CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESESE	11	4S	17W	BEAVERHEAD

Diversion Means: HEADGATE

2		SESW	6	4S	16W	BEAVERHEAD
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Diversion Means: HEADGATE

Period of Use: MAY 1 TO AUGUST 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	160.00		SW	5	4S	16W	BEAVERHEAD
2	120.00		SE	6	4S	16W	BEAVERHEAD
3	130.00		NE	7	4S	16W	BEAVERHEAD
4	120.00		S2	7	4S	16W	BEAVERHEAD
5	240.00		W2	8	4S	16W	BEAVERHEAD
6	140.00		N2	18	4S	16W	BEAVERHEAD
Total:	910.00						

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

121018-00 121021-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 121014-00, 121016-00, 121018-00, 121019-00, 121020-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121019-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: WALTER R WILLEY JR
1051 SHADY SPRINGS
SAINT GEORGE, UT 84770

Priority Date: SEPTEMBER 3, 1931

Type of Historical Right: FILED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 2.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 613.00

Source Name: SPRING, UNNAMED TRIBUTARY OF MIFFLIN CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS ARMITAGE SPRING AND SWAMP

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWSW	6	4S	16W	BEAVERHEAD
	Diversion Means:	DITCH				
2		NESESE	1	4S	17W	BEAVERHEAD
	Diversion Means:	DITCH				
3		NENWNE	12	4S	17W	BEAVERHEAD
	Diversion Means:	DITCH				

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	160.00			SW	5	4S 16W	BEAVERHEAD
2	120.00			SE	6	4S 16W	BEAVERHEAD
3	3.00		SE	SW	6	4S 16W	BEAVERHEAD
4	90.00			NE	7	4S 16W	BEAVERHEAD
5	240.00			W2	8	4S 16W	BEAVERHEAD
Total:	613.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

121014-00 121016-00 121019-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 121014-00, 121016-00, 121018-00, 121019-00, 121020-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121020-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: ADELE P ROUSE
200 GREEN MEADOW DR
DILLON, MT 59725 8228

EMORY H ROUSE
1660 WEBSTER LN
DILLON, MT 59725 9433

Priority Date: OCTOBER 25, 1897

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 3.38 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 350.00

Source Name: SPRING, UNNAMED TRIBUTARY OF ROCK CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS MIFFLIN SPRINGS

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNW	18		4S	16W	BEAVERHEAD

Diversion Means: DITCH

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		NE	7	4S	16W	BEAVERHEAD
2	75.00		W2SE	7	4S	16W	BEAVERHEAD
3	35.00		SESW	7	4S	16W	BEAVERHEAD
4	200.00			18	4S	16W	BEAVERHEAD
Total:	350.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 92596-00, 121020-00.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 121014-00, 121016-00, 121018-00, 121019-00, 121020-00.

USDA AERIAL PHOTOGRAPH NO(S). 979-75 , DATED 09/20/1979 , APPEARS TO INDICATE 240.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 12P-39 , DATED 08/09/55 , APPEARS TO INDICATE 137.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121021-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: ADELE P ROUSE
200 GREEN MEADOW DR
DILLON, MT 59725 8228

EMORY H ROUSE
1660 WEBSTER LN
DILLON, MT 59725 9433

Priority Date: AUGUST 24, 1935

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: MIFFLIN CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	NE	SW	6	4S 16W	BEAVERHEAD

Diversion Means: DITCH

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SW	5	4S	16W	BEAVERHEAD
2			S2	6	4S	16W	BEAVERHEAD
3			NE	7	4S	16W	BEAVERHEAD
4			W2	8	4S	16W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

121018-00 121021-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59711-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121022-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: ADELE P ROUSE
200 GREEN MEADOW DR
DILLON, MT 59725 8228

EMORY H ROUSE
1660 WEBSTER LN
DILLON, MT 59725 9433

Priority Date: MAY 17, 1919

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF ROCK CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS HIRT SPRINGS

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	SENE 13	4S	17W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		NW	SWNW 18	4S	16W	BEAVERHEAD
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: MAY 1 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NE	SENE	13	4S 17W	BEAVERHEAD
2			NW	SWNW	18	4S 16W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

121017-00 121022-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/10/1989: POINT OF DIVERSION, PLACE OF USE, PERIOD OF USE.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 08/30/1989.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121023-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: WALTER R WILLEY JR
1051 SHADY SPRINGS
SAINT GEORGE, UT 84770

Priority Date: MAY 1, 1897

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 20.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ROCK CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESESE	6	4S	16W	BEAVERHEAD

Diversion Means: DEVELOPED SPRING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESESE	6	4S	16W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

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Water Right Number: 41D 121025-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: WALTER R WILLEY JR
1051 SHADY SPRINGS
SAINT GEORGE, UT 84770

***Priority Date:** MAY 6, 1897

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: MOOSE CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNW	36	3S	17W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SW	5	4S	16W	BEAVERHEAD
2			S2	6	4S	16W	BEAVERHEAD
3			NE	7	4S	16W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

121016-00 121025-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121027-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: WALTER R WILLEY JR
1051 SHADY SPRINGS
SAINT GEORGE, UT 84770

Priority Date: SEPTEMBER 1, 1952

Type of Historical Right: FILED

Purpose(use): DOMESTIC

Flow Rate: 30.00 GPM

Volume: 3.07 AC-FT

Households: 1

Maximum Acres: 1.00

***Source Name:** GROUNDWATER

Source Type: GROUNDWATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENESE	6		4S	16W	BEAVERHEAD

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.00		NENESE	6	4S	16W	BEAVERHEAD

Total: 1.00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

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Water Right Number: 41D 121028-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: WALTER R WILLEY JR
1051 SHADY SPRINGS
SAINT GEORGE, UT 84770

Priority Date: MAY 1, 1897

Type of Historical Right: USE

Purpose(use): DOMESTIC

Flow Rate: 20.00 GPM

Volume: 1.50 AC-FT

Households: 1

Maximum Acres: 1.00

Source Name: SPRING, UNNAMED TRIBUTARY OF MIFFLIN CREEK

Source Type: GROUNDWATER
ALSO KNOWN AS HOUSE SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWSE	6	4S	16W	BEAVERHEAD

Diversion Means: PIPELINE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.00		SENESE	6	4S	16W	BEAVERHEAD

Total: 1.00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121051-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

Priority Date: DECEMBER 7, 1901

Type of Historical Right: FILED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 4.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 110.00

Source Name: HAMBY CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENESE	23	6S	16W	BEAVERHEAD

Diversion Means: HEADGATE
Ditch Name: BOONE DITCH

Period of Use: MAY 1 TO SEPTEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	60.00		S2NW	7	6S	15W	BEAVERHEAD
2	50.00		N2SW	7	6S	15W	BEAVERHEAD
Total:	110.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

121051-00 121052-00 121053-00 121054-00 121056-00 121057-00 121058-00
121059-00 121060-00 121061-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/02/2002: PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121052-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

Priority Date: NOVEMBER 10, 1897

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 8.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 320.00

Source Name: ENGLEJARD CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSENE	14	6S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: TIMOTHY FIELD DITCH

Period of Use: MAY 1 TO SEPTEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	200.00	3	W2	6	6S	15W	BEAVERHEAD
2	80.00		N2NW	7	6S	15W	BEAVERHEAD
3	40.00		NENE	12	6S	16W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	320.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

121051-00	121052-00	121053-00	121054-00	121056-00	121057-00	121058-00
121059-00	121060-00	121061-00				

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121053-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

Priority Date: NOVEMBER 10, 1897

Type of Historical Right: FILED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 4.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 160.00

Source Name: ENGLEJARD CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSESE	12	6S	16W	BEAVERHEAD

Diversion Means: HEADGATE
Ditch Name: ENGLEJARD DITCH

Period of Use: MAY 1 TO SEPTEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		SWSE	7	6S	15W	BEAVERHEAD
2	80.00		S2SW	7	6S	15W	BEAVERHEAD
3	40.00		NWNW	18	6S	15W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	160.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

121051-00	121052-00	121053-00	121054-00	121056-00	121057-00	121058-00
121059-00	121060-00	121061-00				

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121054-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

Priority Date: JUNE 3, 1901

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 3.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 120.00

Source Name: HAMBY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWSW	24	6S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: BARNES DITCH

Period of Use: MAY 1 TO SEPTEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		SESE	7	6S	15W	BEAVERHEAD
2	40.00		SWSW	8	6S	15W	BEAVERHEAD
3	40.00		NENE	18	6S	15W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	120.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

121051-00	121052-00	121053-00	121054-00	121056-00	121057-00	121058-00
121059-00	121060-00	121061-00				

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121055-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

Priority Date: OCTOBER 25, 1915

Type of Historical Right: FILED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 7.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 236.00

Source Name: HAMBY CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWSW	24	6S	16W	BEAVERHEAD

Diversion Means: HEADGATE
Ditch Name: HAMBY-WATZIG DITCH

Period of Use: MAY 1 TO SEPTEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00		NESW	18	6S	15W	BEAVERHEAD
2	60.00		W2SW	18	6S	15W	BEAVERHEAD
3	156.00		E2	13	6S	16W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	236.00						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/10/1991: MAXIMUM ACRES, PLACE OF USE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121056-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

Priority Date: NOVEMBER 10, 1897

Type of Historical Right: FILED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 15.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 563.00

Source Name: HAMBY CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWSW	24	6S	16W	BEAVERHEAD

Diversion Means: HEADGATE
Ditch Name: SAM ENGLSJERD HAMBY DITCH

Period of Use: MAY 1 TO SEPTEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	160.00		SE	7	6S	15W	BEAVERHEAD
2	80.00		S2SW	7	6S	15W	BEAVERHEAD
3	40.00		SWSW	8	6S	15W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	283.00		N2	18	6S	15W	BEAVERHEAD
Total:	563.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

121051-00 121052-00 121053-00 121054-00 121056-00 121057-00 121058-00
121059-00 121060-00 121061-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/02/2002: PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121057-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

Priority Date: JUNE 12, 1897

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 5.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 200.00

Source Name: ENGLEJARD CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESENW	7	6S	15W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: JOHNSON-ENGLEJARD DITCH

Period of Use: MAY 1 TO SEPTEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		SWNW	5	6S	15W	BEAVERHEAD
2	40.00		NWSW	5	6S	15W	BEAVERHEAD
3	40.00		SENE	6	6S	15W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	80.00		E2SE	6	6S	15W	BEAVERHEAD
Total:	200.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

121051-00 121052-00 121053-00 121054-00 121056-00 121057-00 121058-00
121059-00 121060-00 121061-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121058-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

Priority Date: DECEMBER 16, 1897

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 5.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 152.00

Source Name: ENGLEJARD CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	7	6S	15W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: JOHNSON-ENGLEJARD DITCH

2		SE	7	6S	15W	BEAVERHEAD
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Diversion Means: HEADGATE

Ditch Name: JOHNSON-ENGLEJARD DITCH

Period of Use: MAY 1 TO SEPTEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	37.00		SE	6	6S	15W	BEAVERHEAD
2	115.00		NE	7	6S	15W	BEAVERHEAD
Total:	152.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

121051-00 121052-00 121053-00 121054-00 121056-00 121057-00 121058-00
121059-00 121060-00 121061-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/02/2002: PLACE OF USE, POINT OF DIVERSION, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/10/1991: MAXIMUM ACRES, PLACE OF USE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121059-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

Priority Date: SEPTEMBER 16, 1899

Type of Historical Right: FILED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 4.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 160.00

Source Name: HAMBY CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWSW	24	6S	16W	BEAVERHEAD

Diversion Means: HEADGATE
Ditch Name: STEWART DITCH

Period of Use: MAY 1 TO SEPTEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	80.00		S2NE	7	6S	15W	BEAVERHEAD
2	80.00		N2SE	7	6S	15W	BEAVERHEAD
Total:	160.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

121051-00 121052-00 121053-00 121054-00 121056-00 121057-00 121058-00
121059-00 121060-00 121061-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121060-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

Priority Date: NOVEMBER 20, 1900

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 24.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 800.00

Source Name: HAMBY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSE	27	6S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: QUINN-PINKERTON-COZAD DITCH

Period of Use: MAY 1 TO SEPTEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	200.00		W2	6	6S	15W	BEAVERHEAD
2	120.00		NW	7	6S	15W	BEAVERHEAD
3	40.00		SWSE	1	6S	16W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	40.00		SESW	1	6S	16W	BEAVERHEAD
5	60.00		SE	11	6S	16W	BEAVERHEAD
6	300.00			12	6S	16W	BEAVERHEAD
7	20.00		NWNW	13	6S	16W	BEAVERHEAD
8	20.00		NENE	14	6S	16W	BEAVERHEAD
Total:	800.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

121051-00 121052-00 121053-00 121054-00 121056-00 121057-00 121058-00
121059-00 121060-00 121061-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/10/1991: MAXIMUM ACRES, PLACE OF USE.

AUTHORIZATION TO CHANGE PLACE OF USE COMPLETED 3/29/1988. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE UPDATED IN THE CENTRALIZED RECORDS SYSTEM AFTER FINAL DECREE. SEE AUTHORIZATION TO CHANGE NO. 121060-99.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121061-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

Priority Date: NOVEMBER 1, 1888

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 13.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 562.00

Source Name: MINER CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWSW	36	5S	16W	BEAVERHEAD

Diversion Means: HEADGATE
Ditch Name: JOHNSON-MINER DITCH

Period of Use: MAY 1 TO SEPTEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	80.00		W2W2	5	6S	15W	BEAVERHEAD
2	223.00			6	6S	15W	BEAVERHEAD
3	259.00			1	6S	16W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	562.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

121051-00	121052-00	121053-00	121054-00	121056-00	121057-00	121058-00
121059-00	121060-00	121061-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/02/2002: PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121062-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

Priority Date: JANUARY 29, 1889

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 8.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF SPRING CREEK
Source Type: GROUNDWATER
ALSO KNOWN AS SPRING NO. 1

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1	NENE	6	6S	15W	BEAVERHEAD

Diversion Means: DEVELOPED SPRING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		4	NWNW	5	6S	15W	BEAVERHEAD
2		1	NENE	6	6S	15W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

121062-00 121075-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121063-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

Priority Date: JUNE 12, 1912

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ENGLEJARD CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS SPRING NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSESE	6	6S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSESE	6	6S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121064-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

***Priority Date:** JUNE 30, 1912

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 8.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ENGLEJARD CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS SPRING NO. 3

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESESW	6	6S	15W	BEAVERHEAD

Diversion Means: PIPELINE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSWSE	6	6S	15W	BEAVERHEAD
2			SESESW	6	6S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121065-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

***Priority Date:** JUNE 30, 1912

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 8.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF SPRING CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS SPRING NO. 4

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1	SWNE	1	6S	16W	BEAVERHEAD

Diversion Means: PIPELINE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		1	SWNE	1	6S	16W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121066-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

***Priority Date:** JUNE 30, 1912

Type of Historical Right: USE

Purpose(use): STOCK
Flow Rate: 8.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ENGLEJARD CREEK
Source Type: SURFACE WATER
ALSO KNOWN AS SPRING NO. 5

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	SE	1	6S	16W	BEAVERHEAD

Diversion Means: PIPELINE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NW	SE	1	6S	16W BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121067-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

***Priority Date:** OCTOBER 31, 1925

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF SPRING CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS SPRING NO. 6

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSW	6	6S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSWSW	6	6S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121068-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

***Priority Date:** OCTOBER 31, 1925

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 8.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF HAMBY CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS SPRING NO. 7

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		NE	SENE	13	6S	16W	BEAVERHEAD

Diversion Means: PIPELINE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			NE	SENE	13	6S	16W BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121069-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

***Priority Date:** OCTOBER 31, 1925

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF ENGLEJARD CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS SPRING NO. 8

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESESW	1	6S	16W	BEAVERHEAD

Diversion Means: UNDEVELOPED SPRING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESESW	1	6S	16W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121070-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

***Priority Date:** OCTOBER 31, 1925

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ENGLEJARD CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS SPRING NO. 9

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2SESW	7	6S	15W	BEAVERHEAD

Diversion Means: UNDEVELOPED SPRING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2SESW	7	6S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121071-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

***Priority Date:** OCTOBER 31, 1925

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ENGLEJARD CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS SPRING NO. 10

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENE	18	6S	15W	BEAVERHEAD

Diversion Means: UNDEVELOPED SPRING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENE	18	6S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121072-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

***Priority Date:** OCTOBER 31, 1925

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 8.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ENGLEJARD CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS SPRING NO. 11

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		NE	7	6S	15W	BEAVERHEAD

Diversion Means: PIPELINE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			NE	7	6S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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Water Right Number: 41D 121073-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

***Priority Date:** OCTOBER 31, 1925

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ENGLEJARD CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS SPRING NO. 12

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWNE	7	6S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSWNE	7	6S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121074-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

***Priority Date:** OCTOBER 31, 1925

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 8.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ENGLEJARD CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS SPRING NO. 13

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		NW	7	6S	15W	BEAVERHEAD

Diversion Means: PIPELINE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			NW	7	6S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121075-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: LAZY C A INC
PO BOX 50605
IDAHO FALLS, ID 83405 0605

Priority Date: JANUARY 29, 1889

Type of Historical Right: USE

***Purpose(use):** MULTIPLE DOMESTIC

Flow Rate: 20.00 GPM

Volume: 3.00 AC-FT

Households: 2

Maximum Acres: 0.25

Source Name: SPRING, UNNAMED TRIBUTARY OF SPRING CREEK

Source Type: GROUNDWATER
ALSO KNOWN AS SPRING NO. 1

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1	NESENE	6	6S	15W	BEAVERHEAD

Diversion Means: PUMP

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	0.25	1	NESENE	6	6S	15W	BEAVERHEAD

Total: 0.25

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

121062-00 121075-00

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 10/10/1991.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED VOLUME EXCEEDS THE 2.63 ACRE-FEET GUIDELINE FOR THIS PURPOSE. ITS ACCURACY CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121101-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BURR L LIVELY
PO BOX 96
MELROSE, MT 59743 0096

LIVELYS INC
PO BOX 175
MELROSE, MT 59743 0175

Priority Date: JUNE 8, 1888

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 224.40 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 32.80

Source Name: SOAP GULCH

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESESE	31	1S	8W	SILVER BOW

Diversion Means: HEADGATE

Period of Use: APRIL 15 TO OCTOBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	32.80	9	N2SW	6	2S	8W	SILVER BOW

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	32.80						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

121101-00 214823-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/14/1995: MAXIMUM ACRES, PLACE OF USE, FLOW RATE.

AN AMENDMENT WAS SUBMITTED ON 08/14/1995 REQUESTING TO AMEND THE PLACE OF USE, MAXIMUM ACRES, AND FLOW RATE. BECAUSE NO AMENDED MAP WAS SUBMITTED, THE AMENDMENT PORTION PERTAINING TO MAXIMUM ACRES AND PLACE OF USE HAS NOT BEEN IMPLEMENTED.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE SILVER BOW COUNTY WATER RESOURCES SURVEY (1955) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO(S). 378-92 , DATED 09/07/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXJ 3B-50 , DATED 08/07/1942 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

IT APPEARS POINT OF DIVERSION NO. 1 MAY BE INCORRECT. THE EXISTENCE OF A DIVERSION FACILITY AND CONVEYANCE DITCH CANNOT BE CONFIRMED FROM AVAILABLE DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 121102-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

Owners: BURR L LIVELY
PO BOX 96
MELROSE, MT 59743 0096

LIVELYS INC
PO BOX 175
MELROSE, MT 59743 0175

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): MINING

Flow Rate:

Volume:

Source Name: SOAP GULCH

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 08/14/1995.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

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Water Right Number: 41D 121103-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BARR L LIVELY
PO BOX 96
MELROSE, MT 59743 0096

LIVELYS INC
PO BOX 175
MELROSE, MT 59743 0175

Priority Date: MARCH 18, 1902

Type of Historical Right: FILED

Purpose(use): MINING

Flow Rate: 2.50 CFS

***Volume:** THIS WATER RIGHT IS LIMITED TO THE VOLUME OF WATER HISTORICALLY USED FOR MINING PURPOSES.

Source Name: SOAP GULCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNE	12	2S	9W	SILVER BOW

Diversion Means: HEADGATE

Period of Use: APRIL 15 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2SWNE	12	2S	9W	SILVER BOW
2			S2NW	12	2S	9W	SILVER BOW
3			NWNWSE	12	2S	9W	SILVER BOW
4			SW	12	2S	9W	SILVER BOW

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE EXCEEDS THE ESTIMATED AVERAGE ANNUAL FLOW OF THE SOURCE (1.93 CFS).

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

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Water Right Number: 41D 124914-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS
PO BOX 200701
HELENA, MT 59620 0701

Priority Date: JULY 9, 1919

Type of Historical Right: FILED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

***Flow Rate:** 1.14 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 30.00

***Source Name:** CHARCOAL GULCH
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNW	36		1N	10W	SILVER BOW

Diversion Means: HEADGATE

Ditch Name: TYSEL DITCH

Period of Use: MAY 1 TO SEPTEMBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	5.00		SW	NESW	36	1N 10W	SILVER BOW
2	2.50		SE	NWSW	36	1N 10W	SILVER BOW
3	5.00		NW	SESW	36	1N 10W	SILVER BOW
4	10.00		NE	SWSW	36	1N 10W	SILVER BOW
5	7.50		SE	SWSW	36	1N 10W	SILVER BOW
Total:	30.00						

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

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Water Right Number: 41D 124977-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MERIDIAN MINERALS CORP
9670 GATEWAY DR FL 2
RENO, NV 89511 8953

***Priority Date:** AUGUST 2, 1901

Type of Historical Right: USE

Purpose(use): MINING

Purpose Clarification: HARDROCK MINING & MILLING

Flow Rate: 1.00 CFS

***Volume:** THIS WATER RIGHT IS LIMITED TO THE VOLUME OF WATER HISTORICALLY USED FOR MINING PURPOSES.

Source Name: UNNAMED TRIBUTARY OF ROCHESTER CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSW	29	2S	7W	MADISON

Diversion Means: PUMP

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESWSW	29	2S	7W	MADISON

Remarks:

POINT OF DIVERSION AND PLACE OF USE INCLUDES MOSCOW LODGE , MINERAL SURVEY NO. 5871.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE APPEARS TO BE HIGH FOR THIS PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

THE CLAIMED FLOW RATE CANNOT BE CONFIRMED DUE TO A LACK OF DATA.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

THIS CLAIMED WATER RIGHT MAY BE QUESTIONABLE. THE RIGHT APPEARS TO HAVE LAST BEEN USED IN 1932.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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Water Right Number: 41D 124978-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: LITTLE BEAR MINING & EXPLORATION INC
3465 SAINT ANNS ST
BUTTE, MT 59701 6409

***Priority Date:** APRIL 19, 1905

Type of Historical Right: USE

Purpose(use): MINING

Purpose Clarification: HARDROCK MINING & MILLING

Flow Rate: 1.00 CFS

***Volume:** THIS WATER RIGHT IS LIMITED TO THE VOLUME OF WATER HISTORICALLY USED FOR MINING PURPOSES.

***Source Name:** UNNAMED TRIBUTARY OF ROCHESTER CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSW	33	3S	7W	MADISON

Diversion Means: PUMP

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESWSW	33	3S	7W	MADISON

Remarks:

POINT OF DIVERSION AND PLACE OF USE INCLUDES NEVER FAIL LODGE , MINERAL SURVEY NO. 6527.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE EXCEEDS THE ESTIMATED AVERAGE ANNUAL FLOW OF THE SOURCE (2.99 GPM).

THE CLAIMED FLOW RATE CANNOT BE CONFIRMED DUE TO A LACK OF DATA.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

THIS CLAIMED WATER RIGHT MAY BE QUESTIONABLE. THE RIGHT APPEARS TO HAVE LAST BEEN USED IN 1932.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 124979-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MERIDIAN MINERALS CORP
9670 GATEWAY DR FL 2
RENO, NV 89511 8953

***Priority Date:** JUNE 28, 1905

Type of Historical Right: USE

Purpose(use): MINING

Purpose Clarification: HARDROCK MINING & MILLING

Flow Rate: 1.00 CFS

***Volume:** THIS WATER RIGHT IS LIMITED TO THE VOLUME OF WATER HISTORICALLY USED FOR MINING PURPOSES.

Source Name: UNNAMED TRIBUTARY OF ROCHESTER CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSW	29	2S	7W	MADISON

Diversion Means: PUMP

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSWSW	29	2S	7W	MADISON

Remarks:

POINT OF DIVERSION AND PLACE OF USE INCLUDES YELLOW METAL LODE , MINERAL SURVEY NO. 7363.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE CANNOT BE CONFIRMED DUE TO A LACK OF DATA.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

THIS CLAIMED WATER RIGHT MAY BE QUESTIONABLE. THE RIGHT APPEARS TO HAVE LAST BEEN USED IN 1932.

ACCORDING TO USGS QUADRANGLE, TABLE MOUNTAIN, THE POINT OF DIVERSION IS NOT ON A FLOWING STREAM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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Water Right Number: 41D 124980-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MERIDIAN MINERALS CORP
9670 GATEWAY DR FL 2
RENO, NV 89511 8953

***Priority Date:** MARCH 11, 1904

Type of Historical Right: USE

Purpose(use): MINING
Purpose Clarification: HARDROCK MINING & MILLING

Flow Rate: 1.00 CFS

***Volume:** THIS WATER RIGHT IS LIMITED TO THE VOLUME OF WATER HISTORICALLY USED FOR MINING PURPOSES.

Source Name: UNNAMED TRIBUTARY OF ROCHESTER CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNENW	32	2S	7W	MADISON

Diversion Means: PUMP

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNENW	32	2S	7W	MADISON

Remarks:

POINT OF DIVERSION AND PLACE OF USE INCLUDES BOBTAIL LODGE , MINERAL SURVEY NO. 3854.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE CANNOT BE CONFIRMED DUE TO A LACK OF DATA.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

THIS CLAIMED WATER RIGHT MAY BE QUESTIONABLE. THE RIGHT APPEARS TO HAVE LAST BEEN USED IN 1932.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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Water Right Number: 41D 124981-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MERIDIAN MINERALS CORP
9670 GATEWAY DR FL 2
RENO, NV 89511 8953

Priority Date: JUNE 7, 1905

Type of Historical Right: DECREED

Purpose(use): MINING

Purpose Clarification: HARDROCK MINING & MILLING

Flow Rate: 1.00 CFS

***Volume:** THIS WATER RIGHT IS LIMITED TO THE VOLUME OF WATER HISTORICALLY USED FOR MINING PURPOSES.

Source Name: UNNAMED TRIBUTARY OF ROCHESTER CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNESW	32	2S	7W	MADISON

Diversion Means: PUMP

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNESW	32	2S	7W	MADISON

Remarks:

POINT OF DIVERSION AND PLACE OF USE INCLUDES MONTE CARLO LODE , MINERAL SURVEY NO. 6621.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE EXCEEDS THE ESTIMATED AVERAGE ANNUAL FLOW OF THE SOURCE (1.99 GPM).

THE CLAIMED FLOW RATE CANNOT BE CONFIRMED DUE TO A LACK OF DATA.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE MAY BE QUESTIONABLE. DOCUMENTATION TO SUPPORT THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE WAS NOT SUBMITTED WITH THIS CLAIM.

THIS CLAIMED WATER RIGHT MAY BE QUESTIONABLE. THE RIGHT APPEARS TO HAVE LAST BEEN USED IN 1932.

THE TYPE OF HISTORICAL RIGHT MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THE CLAIM INDICATES A USE RIGHT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 124982-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MERIDIAN MINERALS CORP
9670 GATEWAY DR FL 2
RENO, NV 89511 8953

Priority Date: MARCH 11, 1904

Type of Historical Right: DECREED

Purpose(use): MINING
Purpose Clarification: HARDROCK MINING & MILLING

Flow Rate: 1.00 CFS

***Volume:** THIS WATER RIGHT IS LIMITED TO THE VOLUME OF WATER HISTORICALLY USED FOR MINING PURPOSES.

Source Name: UNNAMED TRIBUTARY OF ROCHESTER CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENW	33	2S	7W	MADISON

Diversion Means: PUMP

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENENW	33	2S	7W	MADISON

Remarks:

POINT OF DIVERSION AND PLACE OF USE INCLUDES ALASKA MONITOR , MINERAL SURVEY NO. 65623.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE EXCEEDS THE ESTIMATED AVERAGE ANNUAL FLOW OF THE SOURCE (.34 CFS).

THE CLAIMED FLOW RATE CANNOT BE CONFIRMED DUE TO A LACK OF DATA.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

THIS CLAIMED WATER RIGHT MAY BE QUESTIONABLE. THE RIGHT APPEARS TO HAVE LAST BEEN USED IN 1932.

THE TYPE OF HISTORICAL RIGHT MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THE CLAIM INDICATES A USE RIGHT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 124983-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MERIDIAN MINERALS CORP
9670 GATEWAY DR FL 2
RENO, NV 89511 8953

***Priority Date:** MARCH 22, 1900

Type of Historical Right: USE

Purpose(use): MINING

Purpose Clarification: HARDROCK MINING & MILLING

Flow Rate: 1.00 CFS

***Volume:** THIS WATER RIGHT IS LIMITED TO THE VOLUME OF WATER HISTORICALLY USED FOR MINING PURPOSES.

Source Name: UNNAMED TRIBUTARY OF ROCHESTER CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNE	33	2S	7W	MADISON

Diversion Means: PUMP

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENWSE	33	2S	7W	MADISON

Remarks:

POINT OF DIVERSION AND PLACE OF USE INCLUDES ELIZABETH LODGE , MINERAL SURVEY NO. 5599.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE EXCEEDS THE ESTIMATED AVERAGE ANNUAL FLOW OF THE SOURCE (4.90 GPM).

THE CLAIMED FLOW RATE CANNOT BE CONFIRMED DUE TO A LACK OF DATA.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

THIS CLAIMED WATER RIGHT MAY BE QUESTIONABLE. THE RIGHT APPEARS TO HAVE LAST BEEN USED IN 1932.

ACCORDING TO USGS QUADRANGLE, TABLE MOUNTAIN, THE POINT OF DIVERSION IS NOT ON A FLOWING STREAM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 124984-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MERIDIAN MINERALS CORP
9670 GATEWAY DR FL 2
RENO, NV 89511 8953

***Priority Date:** MARCH 1, 1900

Type of Historical Right: USE

Purpose(use): MINING
Purpose Clarification: HARDROCK MINING & MILLING

Flow Rate: 1.00 CFS

***Volume:** THIS WATER RIGHT IS LIMITED TO THE VOLUME OF WATER HISTORICALLY USED FOR MINING PURPOSES.

***Source Name:** UNNAMED TRIBUTARY OF ROCHESTER CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWSW	33	2S	7W	MADISON

Diversion Means: PUMP

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSWSW	33	2S	7W	MADISON

Remarks:

POINT OF DIVERSION AND PLACE OF USE INCLUDES END LODGE , MINERAL SURVEY NO. 5598.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE EXCEEDS THE ESTIMATED AVERAGE ANNUAL FLOW OF THE SOURCE (3.90 GPM).

THE CLAIMED FLOW RATE CANNOT BE CONFIRMED DUE TO A LACK OF DATA.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

THIS CLAIMED WATER RIGHT MAY BE QUESTIONABLE. THE RIGHT APPEARS TO HAVE LAST BEEN USED IN 1932.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 124985-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: MERIDIAN MINERALS CORP
9670 GATEWAY DR FL 2
RENO, NV 89511 8953**

***Priority Date: FEBRUARY 16, 1900**

Type of Historical Right: USE

Purpose(use): MINING

Flow Rate: 1.00 CFS

***Volume: THIS WATER RIGHT IS LIMITED TO THE VOLUME OF WATER HISTORICALLY USED FOR MINING PURPOSES.**

Source Name: UNNAMED TRIBUTARY OF ROCHESTER CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENW	33	2S	7W	MADISON

Diversion Means: PUMP

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESWNE	33	2S	7W	MADISON

Remarks:

POINT OF DIVERSION AND PLACE OF USE INCLUDES MONITOR LODGE , MINERAL SURVEY NO. 5597.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE EXCEEDS THE ESTIMATED AVERAGE ANNUAL FLOW OF THE SOURCE (.27 CFS).

THE CLAIMED FLOW RATE CANNOT BE CONFIRMED DUE TO A LACK OF DATA.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

THIS CLAIMED WATER RIGHT MAY BE QUESTIONABLE. THE RIGHT APPEARS TO HAVE LAST BEEN USED IN 1932.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 124986-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MERIDIAN MINERALS CORP
9670 GATEWAY DR FL 2
RENO, NV 89511 8953

***Priority Date:** APRIL 14, 1897

Type of Historical Right: USE

Purpose(use): MINING

Purpose Clarification: HARDROCK MINING & MILLING

Flow Rate: 1.00 CFS

***Volume:** THIS WATER RIGHT IS LIMITED TO THE VOLUME OF WATER HISTORICALLY USED FOR MINING PURPOSES.

***Source Name:** UNNAMED TRIBUTARY OF ROCHESTER CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNENW	29	2S	7W	MADISON

Diversion Means: HEADGATE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENENW	29	2S	7W	MADISON

Remarks:

POINT OF DIVERSION AND PLACE OF USE INCLUDES MAMMOTH LODGE , MINERAL SURVEY NO. 4839.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE EXCEEDS THE ESTIMATED AVERAGE ANNUAL FLOW OF THE SOURCE (.52 CFS).

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

THIS CLAIMED WATER RIGHT MAY BE QUESTIONABLE. THE RIGHT APPEARS TO HAVE LAST BEEN USED IN 1932.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 124987-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MERIDIAN MINERALS CORP
9670 GATEWAY DR FL 2
RENO, NV 89511 8953

***Priority Date:** MARCH 1, 1905

Type of Historical Right: USE

Purpose(use): MINING
Purpose Clarification: HARDROCK MINING & MILLING

Flow Rate: 1.00 CFS

***Volume:** THIS WATER RIGHT IS LIMITED TO THE VOLUME OF WATER HISTORICALLY USED FOR MINING PURPOSES.

Source Name: UNNAMED TRIBUTARY OF ROCHESTER CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWSE	32	2S	7W	MADISON

Diversion Means: PUMP

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNWSE	32	2S	7W	MADISON

Remarks:

POINT OF DIVERSION AND PLACE OF USE INCLUDES HERMIT LODGE , MINERAL SURVEY NO. 7096.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE EXCEEDS THE ESTIMATED AVERAGE ANNUAL FLOW OF THE SOURCE (11.00 GPM).

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

THIS CLAIMED WATER RIGHT MAY BE QUESTIONABLE. THE RIGHT APPEARS TO HAVE LAST BEEN USED IN 1932.

ACCORDING TO USGS QUADRANGLE, TWIN BRIDGES SW, THE POINT OF DIVERSION IS NOT ON A FLOWING STREAM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 124988-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MERIDIAN MINERALS CORP
9670 GATEWAY DR FL 2
RENO, NV 89511 8953

***Priority Date:** JUNE 22, 1907

Type of Historical Right: USE

Purpose(use): MINING

Purpose Clarification: HARDROCK MINING & MILLING

Flow Rate: 1.00 CFS

***Volume:** THIS WATER RIGHT IS LIMITED TO THE VOLUME OF WATER HISTORICALLY USED FOR MINING PURPOSES.

Source Name: UNNAMED TRIBUTARY OF ROCHESTER CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	32	2S	7W	MADISON

Diversion Means: PUMP

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENSW	32	2S	7W	MADISON

Remarks:

POINT OF DIVERSION AND PLACE OF USE INCLUDES MAMMOTH LODGE , MINERAL SURVEY NO. 8039.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE EXCEEDS THE ESTIMATED AVERAGE ANNUAL FLOW OF THE SOURCE (1.90 GPM).

THE CLAIMED FLOW RATE CANNOT BE CONFIRMED DUE TO A LACK OF DATA.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

THIS CLAIMED WATER RIGHT MAY BE QUESTIONABLE. THE RIGHT APPEARS TO HAVE LAST BEEN USED IN 1932.

ACCORDING TO USGS QUADRANGLE, TWIN BRIDGES SW, THE POINT OF DIVERSION IS NOT ON A FLOWING STREAM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 124989-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MERIDIAN MINERALS CORP
9670 GATEWAY DR FL 2
RENO, NV 89511 8953

***Priority Date:** MARCH 1, 1905

Type of Historical Right: USE

Purpose(use): MINING

Purpose Clarification: HARDROCK MINING & MILLING

Flow Rate: 1.00 CFS

***Volume:** THIS WATER RIGHT IS LIMITED TO THE VOLUME OF WATER HISTORICALLY USED FOR MINING PURPOSES.

***Source Name:** UNNAMED TRIBUTARY OF ROCHESTER CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSE	29	2S	7W	MADISON

Diversion Means: PUMP

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESWSE	29	2S	7W	MADISON

Remarks:

POINT OF DIVERSION AND PLACE OF USE INCLUDES BRAZILL LODGE , MINERAL SURVEY NO. 7095.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE EXCEEDS THE ESTIMATED AVERAGE ANNUAL FLOW OF THE SOURCE (40.30 GPM).

THE CLAIMED FLOW RATE CANNOT BE CONFIRMED DUE TO A LACK OF DATA.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

THIS CLAIMED WATER RIGHT MAY BE QUESTIONABLE. THE RIGHT APPEARS TO HAVE LAST BEEN USED IN 1932.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 124990-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MERIDIAN MINERALS CORP
9670 GATEWAY DR FL 2
RENO, NV 89511 8953

***Priority Date:** DECEMBER 13, 1904

Type of Historical Right: USE

Purpose(use): MINING
Purpose Clarification: HARDROCK MINING & MILLING

Flow Rate: 1.00 CFS

***Volume:** THIS WATER RIGHT IS LIMITED TO THE VOLUME OF WATER HISTORICALLY USED FOR MINING PURPOSES.

Source Name: ROCHESTER CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNE	31	2S	7W	MADISON

Diversion Means: PUMP

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNE	31	2S	7W	MADISON

Remarks:

POINT OF DIVERSION AND PLACE OF USE INCLUDES LIZZIE ANN LODGE , MINERAL SURVEY NO. 7009.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE CANNOT BE CONFIRMED DUE TO A LACK OF DATA.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

THIS CLAIMED WATER RIGHT MAY BE QUESTIONABLE. THE RIGHT APPEARS TO HAVE LAST BEEN USED IN 1932.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 127827-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MARVA D GNEITING
PO BOX 7
MELROSE, MT 59743 0007

PAUL A GNEITING
PO BOX 7
MELROSE, MT 59743 0007

Priority Date: JUNE 1, 1973

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER

***Flow Rate:** 1.70 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 45.00

***Source Name:** BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	9		2S	9W	SILVER BOW

Diversion Means: DIVERSION DAM

Ditch Name: MCCAULEY DITCH

Period of Use: MAY 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	5.00		SESW	11	2S	9W	SILVER BOW
2	35.00		SWSW	11	2S	9W	SILVER BOW
3	5.00		NENW	14	2S	9W	SILVER BOW
Total:	45.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

127827-00 127828-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/08/1992: POINT OF DIVERSION, MEANS OF DIVERSION, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE IS THE FLOW RATE OF A PUMP AT A SECONDARY POINT OF DIVERSION. ACTUAL FLOW RATE DIVERTED FROM THE PRIMARY POINT OF DIVERSION IS UNKNOWN. A 08/06/95 AFFIDAVIT NOTES THAT 35 GPM PER ACRE WOULD BE NEEDED FROM THE POINT OF DIVERSION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 127828-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MARVA D GNEITING
PO BOX 7
MELROSE, MT 59743 0007

PAUL A GNEITING
PO BOX 7
MELROSE, MT 59743 0007

Priority Date: MARCH 12, 1885

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 5.52 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 146.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	9	2S	9W	SILVER BOW

Diversion Means: DIVERSION DAM

Ditch Name: MCCAULEY DITCH

Period of Use: MAY 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00		SW	11	2S	9W	SILVER BOW
2	116.00		NW	14	2S	9W	SILVER BOW
3	10.00		NWSW	14	2S	9W	SILVER BOW
Total:	146.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

127827-00 127828-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/08/1995: POINT OF DIVERSION, MEANS OF DIVERSION, MAXIMUM ACRES, PLACE OF USE, FLOW RATE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE CLAIMED FLOW RATE IS THE FLOW RATE OF A PUMP AT A SECONDARY POINT OF DIVERSION. ACTUAL FLOW RATE DIVERTED FROM THE PRIMARY POINT OF DIVERSION IS UNKNOWN. A 08/06/95 AFFIDAVIT NOTES THAT 35 GPM PER ACRE WOULD BE NEEDED FROM THE POINT OF DIVERSION.

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 45234-00, 93417-00, 127828-00.

THE SILVER BOW COUNTY WATER RESOURCES SURVEY (1955) APPEARS TO INDICATE ONLY 114.00 ACRES IRRIGATED OUT OF THE MCCAULEY DITCH.

USDA AERIAL PHOTOGRAPH NO(S). 378-102 , DATED 09/07/1979 , APPEARS TO INDICATE 114.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AN AMENDMENT WAS RECEIVED 08/08/95 ADDING AN ADDITIONAL PLACE OF USE IN SEC 11 TWP 02S RGE 09W, SILVER BOW CO. THIS PARCEL IS ABOVE THE CLAIMED CONVEYANCE DITCH AND COULD NOT HAVE BEEN HISTORICALLY FLOOD IRRIGATED FROM THE MCCAULEY DITCH.

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE. THE PRIORITY DATE ON THE SUBMITTED NOTICE OF APPROPRIATION IS OCTOBER 15, 1887.

THE TYPE OF HISTORICAL RIGHT MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THE CLAIM INDICATES A USE RIGHT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 127829-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MARVA D GNEITING
PO BOX 7
MELROSE, MT 59743 0007

PAUL A GNEITING
PO BOX 7
MELROSE, MT 59743 0007

***Priority Date:** DECEMBER 31, 1886

DECREE DOCUMENTATION SUBMITTED WITH THE CLAIM COULD NOT BE VERIFIED FROM THE DECREE INDEX OR THE SILVER BOW WRS AND HAS NO CASE NUMBER.

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 25.00

Source Name: SOAP GULCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNENE	14		2S	9W	SILVER BOW

Diversion Means: HEADGATE

Ditch Name: FOSTER DITCH

Period of Use: APRIL 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.50		SWNWNE	14	2S	9W	SILVER BOW
2	4.50		NWSWNE	14	2S	9W	SILVER BOW
3	10.00		E2NENW	14	2S	9W	SILVER BOW
4	8.00		NESENW	14	2S	9W	SILVER BOW
Total:	25.00						

Remarks:

THE MAXIMUM ACRES WAS AMENDED BY THE CLAIMANT ON 09/08/1995.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 27.00 GPM PER ACRE.

THE SILVER BOW COUNTY WATER RESOURCES SURVEY (1955) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE TYPE OF HISTORICAL RIGHT MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THE CLAIM INDICATES A FILED RIGHT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128050-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DONALD A DALLASERRA
9225 HWY 91 N
DILLON, MT 59725 8504

EDWARD J DALLASERRA
9225 HWY 91 N
DILLON, MT 59725 8504

***Priority Date:** JULY 30, 1900

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 15.00 CFS

CASE NO. 1325, BEAVERHEAD COUNTY, DECREED DEFENDANTS ORLANDO MAST, GEORGE T. MAST AND PETER G. NELSON EACH AN UNDIVIDED 1/3 INTEREST IN THE WATERS CONVEYED FROM WILLOW CREEK BY THE MAST-NELSON DITCH. SUPPLEMENTAL DECREE TO CASE 1325, DECREED AN ADDITIONAL 300 MINERS INCHES CONVEYED VIA THE MAST-NELSON DITCH. THUS THE TOTAL RIGHT IS FOR 600 MINERS INCHES.

Volume: 2,552.04 AC-FT

Climatic Area: 3 - MODERATE

Maximum Acres: 850.68

***Source Name:** DUBOIS CREEK
Source Type: SURFACE WATER
 ALSO KNOWN AS MIDDLE FORK WILLOW CREEK

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNE	25	4S	11W	BEAVERHEAD

***Period of Diversion:** APRIL 1 TO NOVEMBER 1

Diversion Means: HEADGATE
Ditch Name: MAST DITCH

BIRCH CREEK IS USED AS A NATURAL CARRIER FOR WATER DIVERTED FROM DUBOIS CREEK TO A SECONDARY DIVERSION LOCATED IN THE NWSESW OF SEC 19, TWP 05S, RGE 09W (BEAVERHEAD WATER CO DITCH). WATER IS THEN DIVERTED AT THE NENESE OF SEC 19 INTO THE WILLOW CREEK DITCH AND CONVEYED TO BLOMQUIST RESERVOIR WHERE WATER IS DIVERTED IN THE SWNWNE OF SEC 1, TWP 06S, RGE 09W, TO THE PLACE OF USE.

***Reservoir:** OFFSTREAM **Reservoir Name:** BLOMQUIST RESERVOIR

	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
		W2W2NE	1	6S	9W	BEAVERHEAD
Dam Height:		12.00	FEET			
Surface Area:		33.00	ACRES			
Capacity:		81.40	ACRE-FEET			

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

Period of Use: APRIL 1 TO NOVEMBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	628.68			31	5S	8W	BEAVERHEAD
2	148.00		NE	1	6S	9W	BEAVERHEAD
3	40.00		NENW	1	6S	9W	BEAVERHEAD
4	26.00		NWNW	1	6S	9W	BEAVERHEAD
5	8.00		N2N2SE	1	6S	9W	BEAVERHEAD
Total:	850.68						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

128049-00 128050-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 600 MINER'S INCHES DECREED IN CASE NO. 1325 , BEAVERHEAD COUNTY. 88463-00, 128050-00.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
AERIAL PHOTOGRAPH NO(S). CXM 2FF-170 , DATED 07/31/1965 , APPEARS TO INDICATE 380.00
ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128084-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CHELINI TRAILER COURT
107 TOWER RD
BUTTE, MT 59701 7654

DANNETTE C CHELINI
107 TOWER RD
BUTTE, MT 59701 7654

Priority Date: MARCH 14, 1961

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER

Flow Rate: 35.00 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 9.00

***Source Name:** SPRING, UNNAMED TRIBUTARY OF ALDER CREEK

Source Type: GROUNDWATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNE	24	1N	12W	BEAVERHEAD

Diversion Means: SPRING BOX

Period of Use: APRIL 25 TO OCTOBER 9

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	9.00		SWNE	24	1N	12W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	9.00						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/08/1995: SOURCE, FLOW RATE, MAXIMUM ACRES, PLACE OF USE, PERIOD OF USE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128085-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CHELINI TRAILER COURT
107 TOWER RD
BUTTE, MT 59701 7654

DANNETTE C CHELINI
107 TOWER RD
BUTTE, MT 59701 7654

Priority Date: JUNE 17, 1969

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 100.00 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 8.00

***Source Name:** SPRING, UNNAMED TRIBUTARY OF ALDER CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWNE	24	1N	12W	BEAVERHEAD

Diversion Means: DITCH

***Period of Use:** APRIL 25 TO OCTOBER 9

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	8.00		SWNE	24	1N	12W	BEAVERHEAD

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	8.00						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/08/1995: SOURCE, FLOW RATE, PERIOD OF USE, MAXIMUM ACRES, PLACE OF USE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128086-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CHELINI TRAILER COURT
107 TOWER RD
BUTTE, MT 59701 7654

DANNETTE C CHELINI
107 TOWER RD
BUTTE, MT 59701 7654

Priority Date: JUNE 17, 1969

Type of Historical Right: FILED

Purpose(use): COMMERCIAL

Purpose Clarification: TRAILER CT, LAUNDRY, CAMPGROUND

Flow Rate: 35.00 GPM

Volume: 32.40 AC-FT

***Source Name:** GROUNDWATER

Source Type: GROUNDWATER
ALSO KNOWN AS WELL NO. 2

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWNE	24	1N	12W	BEAVERHEAD

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNE	24	1N	12W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

128086-00 128088-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 08/08/1995.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128087-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CHELINI TRAILER COURT
107 TOWER RD
BUTTE, MT 59701 7654

DANNETTE C CHELINI
107 TOWER RD
BUTTE, MT 59701 7654

Priority Date: MARCH 14, 1961

Type of Historical Right: USE

Purpose(use): COMMERCIAL

Purpose Clarification: TRAILER CT, LAUNDRY, CAMPGROUND

Flow Rate: 35.00 GPM

Volume: 32.40 AC-FT

***Source Name:** GROUNDWATER

Source Type: GROUNDWATER
ALSO KNOWN AS WELL NO. 1

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNE	24	1N	12W	BEAVERHEAD

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNE	24	1N	12W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

128087-00 128089-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 08/08/1995.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128088-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: CHELINI TRAILER COURT
107 TOWER RD
BUTTE, MT 59701 7654

DANNETTE C CHELINI
107 TOWER RD
BUTTE, MT 59701 7654

Priority Date: JUNE 17, 1969

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** 35.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** GROUNDWATER
Source Type: GROUNDWATER
ALSO KNOWN AS WELL NO. 2

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	WNE	24	1N 12W	BEAVERHEAD

Diversion Means: WELL

Period of Use: APRIL 1 TO DECEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SW	NE	24	1N 12W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

128086-00 128088-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

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Water Right Number: 41D 128089-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: CHELINI TRAILER COURT
107 TOWER RD
BUTTE, MT 59701 7654

DANNETTE C CHELINI
107 TOWER RD
BUTTE, MT 59701 7654

Priority Date: MARCH 14, 1961

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 20.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** GROUNDWATER
Source Type: GROUNDWATER
ALSO KNOWN AS WELL NO. 1

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N	24	1N	12W	BEAVERHEAD

Diversion Means: WELL

Period of Use: APRIL 1 TO DECEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SW	24	1N	12W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

128087-00 128089-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 08/08/1995.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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Water Right Number: 41D 128090-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: LEONARD R HUNTER
PO BOX 3694
BUTTE, MT 59702 3694

***Priority Date:** FEBRUARY 20, 1886

Type of Historical Right: FILED

Purpose(use): MINING
Purpose Clarification: MILLING

Flow Rate: 12.50 CFS

***Volume:** THIS WATER RIGHT IS LIMITED TO THE VOLUME OF WATER HISTORICALLY USED FOR MINING PURPOSES.

Source Name: WISE RIVER
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNE	34	1N	11W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENE	34	1N	11W	BEAVERHEAD

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE BE HIGH FOR THIS PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON WISE RIVER WITH A PRIORITY DATE PREDATING CASE NO. 2627 BEAVERHEAD COUNTY.

DNRC EXAMINATION WAS UNABLE TO CONFIRM THE USE OF THIS WATER RIGHT FOR THE TEN CONSECUTIVE YEARS PRIOR TO JULY 1, 1973.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128095-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID E WENDLER
4000 LAMARCHE CREEK RD
WISE RIVER, MT 59762

Priority Date: MAY 25, 1912

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 2.84 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 75.00

***Source Name:** LA MARCHÉ CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWSW	9		2N	13W	DEER LODGE

Diversion Means: HEADGATE

2		NWNESW	16		2N	13W	DEER LODGE
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Diversion Means: HEADGATE

Period of Use: MAY 1 TO AUGUST 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	5.00		S	WSE	N	W	DEER LODGE
2	30.00		W	2N	W	DEER LODGE	
3	10.00		N	WSE	N	W	DEER LODGE
4	30.00		E	2N	W	DEER LODGE	
Total:	75.00						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/13/1991: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE DEER LODGE COUNTY WATER RESOURCES SURVEY (1955) APPEARS TO INDICATE 33.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 879-224 , DATED 09/18/1979 , APPEARS TO INDICATE 50.50 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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Water Right Number: 41D 128096-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID E WENDLER
4000 LAMARCHE CREEK RD
WISE RIVER, MT 59762

***Priority Date:** DECEMBER 31, 1963

Type of Historical Right: USE

Purpose(use): COMMERCIAL

Purpose Clarification: SUNDANCE LODGE

Flow Rate: 30.00 GPM

Volume: 10.00 AC-FT

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	16	2N	13W	DEER LODGE

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NW	16	2N	13W	DEER LODGE

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE PRIORITY DATE MAY BE QUESTIONABLE. NO DOCUMENTATION AS REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO SUPPORT THIS CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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Water Right Number: 41D 128097-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID E WENDLER
4000 LAMARCHE CREEK RD
WISE RIVER, MT 59762

Priority Date: SEPTEMBER 3, 1910

Type of Historical Right: FILED

Purpose(use): RECREATION

Flow Rate: 4.00 CFS

Volume: 1,928.00 AC-FT

***Source Name:** LA MARCHE CREEK, EAST FORK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWNE	16	2N	13W	DEER LODGE

Diversion Means: HEADGATE

Reservoir: OFFSTREAM

	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
		E2NESW	16	2N	13W	DEER LODGE
Dam Height:		20.00	FEET			
Surface Area:		3.36	ACRES			
Capacity:		22.80	ACRE-FEET			

THE CAPACITY AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

Period of Use: APRIL 1 TO NOVEMBER 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2	NESW 16	2N	13W	DEER LODGE

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE PERIOD OF DIVERSION FROM THE SOURCE INTO STORAGE CANNOT BE IDENTIFIED.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 411, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

THE RESERVOIR IS NOT SHOWN IN THE DEER LODGE COUNTY WATER RESOURCES SURVEY 1955 . IT APPEARS TO HAVE BEEN BUILT AFTER THE ORIGINAL APPROPRIATION AND MAY INDICATE AN EXPANSION OF THE WATER RIGHT.

ACCORDING TO INFORMATION IN THE CLAIM FILE, THE RESERVOIR WAS CONSTRUCTED IN 1940 WHICH DOES NOT CORRESPOND TO THE CLAIMED PRIORITY DATE. THIS MAY INDICATE AN EXPANSION OF THE WATER RIGHT.

THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE. THE CLAIMED VOLUME EQUALS 84 TIMES THE CAPACITY OF THE RESERVOIR.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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Water Right Number: 41D 128114-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOEL M EIGHORN
PO BOX 3
MELROSE, MT 59743 0003

LUKE G EIGHORN
PO BOX 3
MELROSE, MT 59743 0003

Priority Date: OCTOBER 15, 1887

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER

Flow Rate: 3.07 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 81.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	9	2S	9W	SILVER BOW

Diversion Means: DIVERSION DAM

Ditch Name: MCCAULEY DITCH

Period of Use: MAY 1 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	9.00		NE	SE	10	2S	9W SILVER BOW
2	8.00		NW	SE	10	2S	9W SILVER BOW
3	10.00		SE	SE	10	2S	9W SILVER BOW
4	10.00		SW	SE	10	2S	9W SILVER BOW
5	10.00		N	E	15	2S	9W SILVER BOW
6	9.00		NW	N	15	2S	9W SILVER BOW
7	10.00		S	E	15	2S	9W SILVER BOW
8	5.00		SW	N	15	2S	9W SILVER BOW
9	9.00		N	E	15	2S	9W SILVER BOW
10	1.00		NW	S	15	2S	9W SILVER BOW
Total:	81.00						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/15/1995: POINT OF DIVERSION, FLOW RATE, MEANS OF DIVERSION.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE SILVER BOW COUNTY WATER RESOURCES SURVEY (1955) APPEARS TO INDICATE 54.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128115-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: JOEL M EIGHORN
PO BOX 3
MELROSE, MT 59743 0003

LUKE G EIGHORN
PO BOX 3
MELROSE, MT 59743 0003

Priority Date: OCTOBER 15, 1887

***Type of Historical Right:** FILED

Purpose(use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 305.18 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 18.00

Source Name: BIG HOLE RIVER
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWSE	10	2S	9W	SILVER BOW

Diversion Means: DIVERSION DAM

2		NENESE	15	2S	9W	SILVER BOW
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Diversion Means: PUMP

Period of Use: MAY 1 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.00		NWSENE	15	2S	9W	SILVER BOW
2	5.00		SESENE	15	2S	9W	SILVER BOW
3	1.50		SWSENE	15	2S	9W	SILVER BOW
4	5.00		NENESE	15	2S	9W	SILVER BOW
5	5.00		SENESE	15	2S	9W	SILVER BOW
6	0.50		NESESE	15	2S	9W	SILVER BOW
Total:	18.00						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/15/1995: POINT OF DIVERSION, MEANS OF DIVERSION, FLOW RATE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128120-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: JUNE 1, 1901

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER
ALSO KNOWN AS AJAX SPRINGS

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWSE	23	4S	16W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JUNE 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSWSE	23	4S	16W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

128120-00 92800-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128121-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: JULY 1, 1886

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** BIG SWAMP CREEK

Source Type: SURFACE WATER

***Source Name:** BIG SWAMP CREEK, NORTH BRANCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWSE	30	4S	15W	BEAVERHEAD

Source Name: BIG SWAMP CREEK, NORTH BRANCH

Diversion Means: HEADGATE

2		NWNWNE	31	4S	15W	BEAVERHEAD
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Source Name: BIG SWAMP CREEK, NORTH BRANCH

Diversion Means: HEADGATE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
3		NE	31	4S	15W	BEAVERHEAD
	Source Name: BIG SWAMP CREEK, NORTH BRANCH					
	Diversion Means: HEADGATE					
4		NW	31	4S	15W	BEAVERHEAD
	Source Name: BIG SWAMP CREEK, NORTH BRANCH					
	Diversion Means: HEADGATE					
	Ditch Name: HOLTENHOFF-OZENBERH DITCH					
5		NW	31	4S	15W	BEAVERHEAD
	Source Name: BIG SWAMP CREEK, NORTH BRANCH					
	Diversion Means: HEADGATE					
6		SW	6	5S	15W	BEAVERHEAD
	*Source Name: BIG SWAMP CREEK					
	Diversion Means: HEADGATE					
	Ditch Name: HOLTENHOFF-OZENBERH DITCH					
Period of Use: JANUARY 1 TO DECEMBER 31						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S	30	4S	15W	BEAVERHEAD
2			W	31	4S	15W	BEAVERHEAD
3			E	31	4S	15W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

128121-00 128143-00

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 11/2/2005.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128122-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: SEPTEMBER 24, 1896

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** BIG LAKE CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS LAKE CREEK

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNE	32	4S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: LOW FURLEY DITCH

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1				23	4S	16W	BEAVERHEAD
2			N2N2	26	4S	16W	BEAVERHEAD
3			W2W2	27	4S	16W	BEAVERHEAD
4			NE	28	4S	16W	BEAVERHEAD
5			S2	28	4S	16W	BEAVERHEAD
6			NE	33	4S	16W	BEAVERHEAD
7			NWNW	34	4S	16W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

128122-00 128145-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128123-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: DECEMBER 13, 1887

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BIG LAKE CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS LAKE CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	22	4S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: AJAX DITCH NO. 1

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2SW	14	4S	16W	BEAVERHEAD
2			SE	15	4S	16W	BEAVERHEAD
3			N2NE	22	4S	16W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

128123-00 128144-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128124-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: MAY 18, 1892

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** BIG SWAMP CREEK

Source Type: SURFACE WATER

***Source Name:** BIG SWAMP CREEK, NORTH BRANCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNW	29	4S	15W	BEAVERHEAD

Source Name: BIG SWAMP CREEK, NORTH BRANCH

Diversion Means: HEADGATE

2		NWNWSW	29	4S	15W	BEAVERHEAD
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Source Name: BIG SWAMP CREEK, NORTH BRANCH

Diversion Means: HEADGATE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
3		NENESE	36	4S	16W	BEAVERHEAD
Source Name:	BIG SWAMP CREEK, NORTH BRANCH					
Diversion Means:	HEADGATE					
Ditch Name:	SKELTON-MINDER DITCH					
4		NENENW	12	5S	16W	BEAVERHEAD
*Source Name:	BIG SWAMP CREEK					
Diversion Means:	HEADGATE					
Ditch Name:	SKELTON-MINDER DITCH					
Period of Use:	JANUARY 1 TO DECEMBER 31					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2S2	19	4S	15W	BEAVERHEAD
2			S2SW	20	4S	15W	BEAVERHEAD
3			NW	29	4S	15W	BEAVERHEAD
4			N2	30	4S	15W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

128124-00 128146-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/02/2005: POINT OF DIVERSION, PLACE OF USE, PRIORITY DATE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128125-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: MAY 24, 1892

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BIG SWAMP CREEK

Source Type: SURFACE WATER

Source Name: BIG SWAMP CREEK, NORTH BRANCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	29	4S	15W	BEAVERHEAD

Source Name: BIG SWAMP CREEK, NORTH BRANCH

Diversion Means: HEADGATE

2		NWN	29	4S	15W	BEAVERHEAD
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Source Name: BIG SWAMP CREEK, NORTH BRANCH

Diversion Means: HEADGATE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
3		NESWSE	31	4S	15W	BEAVERHEAD
Source Name:	BIG SWAMP CREEK					
Diversion Means:	HEADGATE					
Ditch Name:	SOREN P. NELSON DITCH NO. 3					
4		NWNWSW	31	4S	15W	BEAVERHEAD
Source Name:	BIG SWAMP CREEK, NORTH BRANCH					
Diversion Means:	HEADGATE					
5		SWSWNW	32	4S	15W	BEAVERHEAD
Source Name:	BIG SWAMP CREEK					
Diversion Means:	HEADGATE					
Period of Use:	JANUARY 1 TO DECEMBER 31					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2	29	4S	15W	BEAVERHEAD
2			S2N2	29	4S	15W	BEAVERHEAD
3			E2SE	30	4S	15W	BEAVERHEAD
4			E2NE	31	4S	15W	BEAVERHEAD
5			NW	32	4S	15W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

128125-00 128141-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/02/2005: POINT OF DIVERSION, PLACE OF USE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128126-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: JUNE 12, 1897

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BIG LAKE CREEK
Source Type: SURFACE WATER
ALSO KNOWN AS LAKE CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		SWSWSW	28	4S	16W	BEAVERHEAD
Diversion Means: HEADGATE						
2		NENESW	28	4S	16W	BEAVERHEAD
Diversion Means: HEADGATE						

BIG LAKE CREEK RETURN FLOW WATER IS DIVERTED AT A SECONDARY POINT OF DIVERSION LOCATED IN TWP 04S RGE 16W SEC 21 NESESW, BEAVERHEAD COUNTY, AND IS CONVEYED THROUGH DRAIN DITCHES TO THE PLACE OF USE IN SEC 14, 15, AND 22.

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2SW	14	4S	16W	BEAVERHEAD
2			SE	15	4S	16W	BEAVERHEAD
3			NESW	15	4S	16W	BEAVERHEAD
4			SE	21	4S	16W	BEAVERHEAD
5			SESW	21	4S	16W	BEAVERHEAD
6			NWNE	22	4S	16W	BEAVERHEAD
7			NE	28	4S	16W	BEAVERHEAD
8			E2NW	28	4S	16W	BEAVERHEAD
9			NESW	28	4S	16W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

128126-00 128140-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128127-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: DECEMBER 13, 1887

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BIG LAKE CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS LAKE CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	22	4S	16W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	AJAX DITCH NO. 2				
2		SW	22	4S	16W	BEAVERHEAD
	Diversion Means:	HEADGATE				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1				14	4S	16W	BEAVERHEAD
2			SESESE	15	4S	16W	BEAVERHEAD
3			NENE	22	4S	16W	BEAVERHEAD
4			N2N2	23	4S	16W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

128127-00 128136-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/02/2005: POINT OF DIVERSION, PLACE OF USE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128128-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: JUNE 26, 1889

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF BIG SWAMP CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSW	32	4S	15W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: SKELTON-FOX DITCH

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESENW	29	4S	15W	BEAVERHEAD
2			W2SE	29	4S	15W	BEAVERHEAD
3			E2SW	29	4S	15W	BEAVERHEAD
4			E2NW	32	4S	15W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

128128-00 128142-00

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 11/2/2005.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128129-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: SEPTEMBER 21, 1891

Type of Historical Right: FILED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

***Flow Rate:** 14.58 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 385.00

Source Name: BIG HOLE RIVER
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSW	3	5S	15W	BEAVERHEAD

Diversion Means: HEADGATE

2		NESWSE	15	5S	15W	BEAVERHEAD
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Diversion Means: HEADGATE

Period of Use: APRIL 1 TO SEPTEMBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	6.00		E2SE	20	4S	15W	BEAVERHEAD
2	85.00		SW	21	4S	15W	BEAVERHEAD
3	110.00		NW	28	4S	15W	BEAVERHEAD
4	92.00		SW	28	4S	15W	BEAVERHEAD
5	13.00		NE	29	4S	15W	BEAVERHEAD
6	10.00		SE	29	4S	15W	BEAVERHEAD
7	69.00		N2	33	4S	15W	BEAVERHEAD
Total:	385.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

128129-00 128131-00 92816-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/10/2005: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/02/2005: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128130-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: JULY 23, 1887

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 9.77 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 258.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWNE	29	4S	15W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		NESWNE	29	4S	15W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		NENESE	29	4S	15W	BEAVERHEAD
	Diversion Means:	HEADGATE				

Period of Use: APRIL 1 TO SEPTEMBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	143.00			SE 20	4S	15W	BEAVERHEAD
2	3.00			NESEW 20	4S	15W	BEAVERHEAD
3	18.00			SW 21	4S	15W	BEAVERHEAD
4	4.00			W2NWNW 28	4S	15W	BEAVERHEAD
5	88.00			NE 29	4S	15W	BEAVERHEAD
6	2.00			N2NESE 29	4S	15W	BEAVERHEAD
Total:	258.00						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/10/2005: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 979-33 , DATED 9/19/1979 , APPEARS TO INDICATE 232.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-4P-163 , DATED 07/19/55 , APPEARS TO INDICATE 223.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128131-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: OCTOBER 6, 1885

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 4.92 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 130.00

Source Name: FOX GULCH

Source Type: SURFACE WATER
ALSO KNOWN AS SPRING CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNE	33	4S	15W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO SEPTEMBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	15.00		NESW	21	4S	15W	BEAVERHEAD
2	30.00		SESW	21	4S	15W	BEAVERHEAD
3	15.00		NENW	28	4S	15W	BEAVERHEAD
4	15.00		SESW	28	4S	15W	BEAVERHEAD
5	10.00		SWSE	28	4S	15W	BEAVERHEAD
6	10.00		NESW	28	4S	15W	BEAVERHEAD
7	5.00		SESW	28	4S	15W	BEAVERHEAD
8	20.00		NWNE	33	4S	15W	BEAVERHEAD
9	10.00		SWNE	33	4S	15W	BEAVERHEAD
Total:	130.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

128129-00 128131-00 92816-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 979-33 , DATED 09/19/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-4P-163 , DATED 07/19/1955 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE CLAIMED PLACE OF USE DOES NOT APPEAR TO BE IRRIGATED BY WATER FROM THE CLAIMED SOURCE.

IT APPEARS POINT OF DIVERSION NO. 1 MAY BE INCORRECT. THE EXISTENCE OF A DIVERSION FACILITY AND CONVEYANCE DITCH CANNOT BE CONFIRMED FROM AVAILABLE DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128132-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: APRIL 23, 1900

Type of Historical Right: FILED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 2.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 70.00

Source Name: UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER
ALSO KNOWN AS THOMAS LOWE GULCH CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWNW	26	4S	16W	BEAVERHEAD
Diversion Means: HEADGATE						
2		SENENW	26	4S	16W	BEAVERHEAD
Diversion Means: HEADGATE						
Period of Use: APRIL 1 TO SEPTEMBER 1						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	43.00		W2SE	23	4S	16W	BEAVERHEAD
2	4.00		SESESW	23	4S	16W	BEAVERHEAD
3	23.00		N2N2	26	4S	16W	BEAVERHEAD
Total:	70.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

128132-00 128136-00 128137-00 128145-00 92800-00 92802-00 92806-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/10/2005: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 93015-00, 128132-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128133-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: DECEMBER 4, 1913

Type of Historical Right: FILED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 4.60 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 121.00

Source Name: FOX GULCH
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESEW	25	4S	15W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO SEPTEMBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	121.00		W2	25	4S	15W	BEAVERHEAD

Total: 121.00

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/10/2005: FLOW RATE, MAXIMUM ACRES, PLACE OF USE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128134-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: MAY 21, 1898

Type of Historical Right: FILED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 4.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 194.00

Source Name: DRY CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSE	29	4S	16W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		SWSNW	29	4S	16W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		NENWSE	30	4S	16W	BEAVERHEAD
	Diversion Means:	HEADGATE				

Period of Use: APRIL 1 TO SEPTEMBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		S2SW	21	4S	16W	BEAVERHEAD
2	70.00		NW	28	4S	16W	BEAVERHEAD
3	121.00		N2	29	4S	16W	BEAVERHEAD
Total:	194.00						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/10/2005: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128135-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: MAY 22, 1897

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 5.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 144.00

Source Name: DRY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	29	4S	16W	BEAVERHEAD

Diversion Means: HEADGATE

2		NW	29	4S	16W	BEAVERHEAD
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Diversion Means: HEADGATE

Period of Use: APRIL 1 TO SEPTEMBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	32.00		SESE	20	4S	16W	BEAVERHEAD
2	36.00		S2SW	21	4S	16W	BEAVERHEAD
3	6.00		NWNWNW	28	4S	16W	BEAVERHEAD
4	70.00		N2NE	29	4S	16W	BEAVERHEAD
Total:	144.00						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/10/2005: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 979-77 , DATED 9/20/1979 , APPEARS TO INDICATE 122.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-17P-43 , DATED 8/27/1955 , APPEARS TO INDICATE 118.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128136-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: DECEMBER 13, 1887

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 12.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 527.00

Source Name: BIG LAKE CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS LAKE CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	22	4S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: AJAX DITCH NO. 2

2		SW	22	4S	16W	BEAVERHEAD
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Diversion Means: HEADGATE

Period of Use: APRIL 1 TO SEPTEMBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	450.00			14	4S	16W	BEAVERHEAD
2	2.00		SESESE	15	4S	16W	BEAVERHEAD
3	17.00		NENE	22	4S	16W	BEAVERHEAD
4	58.00		N2N2	23	4S	16W	BEAVERHEAD
Total:	527.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

128132-00 128136-00 128137-00 128145-00 92800-00 92802-00 92806-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

128127-00 128136-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/10/2005: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/02/2005: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/23/1982: MAXIMUM ACRES, PLACE OF USE, FLOW RATE.

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 10/28/1996.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. AERIAL PHOTOGRAPH NO(S). CXM-12P-107 , DATED 08/09/55 , APPEARS TO INDICATE 239.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128137-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: SEPTEMBER 24, 1896

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 8.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 859.00

***Source Name:** BIG LAKE CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS LAKE CREEK

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNE	32		4S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: LOW FURLEY DITCH

Period of Use: APRIL 1 TO SEPTEMBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	246.00			23	4S	16W	BEAVERHEAD
2	81.00		N2N2	26	4S	16W	BEAVERHEAD
3	157.00		W2W2	27	4S	16W	BEAVERHEAD
4	32.00		NE	28	4S	16W	BEAVERHEAD
5	189.00		S2	28	4S	16W	BEAVERHEAD
6	118.00		NE	33	4S	16W	BEAVERHEAD
7	36.00		NWNW	34	4S	16W	BEAVERHEAD
Total:	859.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

128132-00 128136-00 128137-00 128145-00 92800-00 92802-00 92806-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/10/2005: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/23/1982: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 320 MINER'S INCHES DECREED IN CASE NO. 1109 , BEAVERHEAD COUNTY. 41D 93002-00, 41D 128137-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128138-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: DECEMBER 20, 1897

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 4.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 612.00

Source Name: BIG SWAMP CREEK

Source Type: SURFACE WATER

Source Name: BIG SWAMP CREEK, NORTH BRANCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNW	29	4S	15W	BEAVERHEAD

Source Name: BIG SWAMP CREEK, NORTH BRANCH

Diversion Means: HEADGATE

2		NWNWSW	29	4S	15W	BEAVERHEAD
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Source Name: BIG SWAMP CREEK, NORTH BRANCH

Diversion Means: HEADGATE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
3		NENESE	36	4S	16W	BEAVERHEAD
Source Name:		BIG SWAMP CREEK, NORTH BRANCH				
Diversion Means:		HEADGATE				
Ditch Name:		SKELTON-MINDER DITCH				
4		NENENW	12	5S	16W	BEAVERHEAD
Source Name:		BIG SWAMP CREEK				
Diversion Means:		HEADGATE				
Ditch Name:		SKELTON-MINDER DITCH				
Period of Use:		APRIL 1 TO SEPTEMBER 1				

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	122.00		S2S2	19	4S	15W	BEAVERHEAD
2	53.00		S2SW	20	4S	15W	BEAVERHEAD
3	109.00		NW	29	4S	15W	BEAVERHEAD
4	328.00		N2	30	4S	15W	BEAVERHEAD
Total:	612.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

128138-00 128139-00 128146-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/10/2005: SOURCE, POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/2/2005: SOURCE, POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128139-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: MAY 29, 1896

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 612.00

Source Name: BIG SWAMP CREEK

Source Type: SURFACE WATER

Source Name: BIG SWAMP CREEK, NORTH BRANCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNW	29	4S	15W	BEAVERHEAD

Source Name: BIG SWAMP CREEK, NORTH BRANCH

Diversion Means: HEADGATE

2		NWNWSW	29	4S	15W	BEAVERHEAD
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Source Name: BIG SWAMP CREEK, NORTH BRANCH

Diversion Means: HEADGATE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
3		NENESE	36	4S	16W	BEAVERHEAD
Source Name:		BIG SWAMP CREEK, NORTH BRANCH				
Diversion Means:		HEADGATE				
Ditch Name:		SKELTON-MINDER DITCH				
4		NENENW	12	5S	16W	BEAVERHEAD
Source Name:		BIG SWAMP CREEK				
Diversion Means:		HEADGATE				
Ditch Name:		SKELTON-MINDER DITCH				
Period of Use:		APRIL 1 TO SEPTEMBER 1				

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	122.00		S2S2	19	4S	15W	BEAVERHEAD
2	53.00		S2SW	20	4S	15W	BEAVERHEAD
3	109.00		NW	29	4S	15W	BEAVERHEAD
4	328.00		N2	30	4S	15W	BEAVERHEAD
Total:	612.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

128138-00 128139-00 128146-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/10/2005: SOURCE, POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/02/2005: SOURCE, POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128140-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: JUNE 12, 1897

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 8.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 504.00

Source Name: BIG LAKE CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS LAKE CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWSW	28	4S	16W	BEAVERHEAD

Diversion Means: HEADGATE

2		NENESW	28	4S	16W	BEAVERHEAD
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Diversion Means: HEADGATE

BIG LAKE CREEK RETURN FLOW WATER IS DIVERTED AT A SECONDARY POINT OF DIVERSION LOCATED IN TWP 04S RGE 16W SEC 21 NESESW, BEAVERHEAD COUNTY, AND IS CONVEYED THROUGH DRAIN DITCHES TO THE PLACE OF USE IN SEC 14, 15, AND 22.

Period of Use: APRIL 1 TO SEPTEMBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	32.00		W2SW	14	4S	16W	BEAVERHEAD
2	158.00		SE	15	4S	16W	BEAVERHEAD
3	41.00		NESW	15	4S	16W	BEAVERHEAD
4	11.00		NWNE	22	4S	16W	BEAVERHEAD
5	106.00		SE	21	4S	16W	BEAVERHEAD
6	25.00		SESW	21	4S	16W	BEAVERHEAD
7	70.00		NE	28	4S	16W	BEAVERHEAD
8	53.00		E2NW	28	4S	16W	BEAVERHEAD
9	8.00		NESW	28	4S	16W	BEAVERHEAD
Total:	504.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

128140-00 128144-00 92805-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

128126-00 128140-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/10/2005: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/02/2005: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

AERIAL PHOTOGRAPH NO(S). CXM-12P-107, CXM-17P-43 , DATED 8/9/55, 8/27/55 , APPEARS TO INDICATE 436.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128141-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: MAY 24, 1892

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 4.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 463.00

Source Name: BIG SWAMP CREEK

Source Type: SURFACE WATER

Source Name: BIG SWAMP CREEK, NORTH BRANCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	29	4S	15W	BEAVERHEAD

Source Name: BIG SWAMP CREEK, NORTH BRANCH

Diversion Means: HEADGATE

2		NW	29	4S	15W	BEAVERHEAD
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Source Name: BIG SWAMP CREEK, NORTH BRANCH

Diversion Means: HEADGATE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
3		NESWSE	31	4S	15W	BEAVERHEAD
Source Name:	BIG SWAMP CREEK					
Diversion Means:	HEADGATE					
Ditch Name:	SOREN P. NELSON DITCH NO. 3					
4		NWNWSW	31	4S	15W	BEAVERHEAD
Source Name:	BIG SWAMP CREEK, NORTH BRANCH					
Diversion Means:	HEADGATE					
5		SWSWNW	32	4S	15W	BEAVERHEAD
Source Name:	BIG SWAMP CREEK					
Diversion Means:	HEADGATE					
Period of Use:	APRIL 1 TO SEPTEMBER 1					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	195.00		S2	29	4S	15W	BEAVERHEAD
2	36.00		S2N2	29	4S	15W	BEAVERHEAD
3	47.00		E2SE	30	4S	15W	BEAVERHEAD
4	77.00		E2NE	31	4S	15W	BEAVERHEAD
5	108.00		NW	32	4S	15W	BEAVERHEAD
Total:	463.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

128141-00 128142-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

128125-00 128141-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/10/2005: SOURCE, POINT OF DIVERSION.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/02/2005: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 160 MINER'S INCHES DECREED IN CASE NO. 2872 , BEAVERHEAD COUNTY. 93015-00, 128132-00.

THE EXISTENCE OF A DIVERSION FACILITY AND CONVEYANCE DITCH FOR POINTS OF DIVERSION NOS. 1 AND 5 COULD NOT BE CONFIRMED FROM AVAILABLE DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128142-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: JUNE 26, 1889

Type of Historical Right: DECREE

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 5.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 200.00

***Source Name:** UNNAMED TRIBUTARY OF BIG HOLE RIVER
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSW	32	4S	15W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: SKELTON-FOX DITCH

Period of Use: APRIL 1 TO SEPTEMBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		SESENW	29	4S	15W	BEAVERHEAD
2	40.00		W2SE	29	4S	15W	BEAVERHEAD
3	76.00		E2SW	29	4S	15W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	81.00		E2NW	32	4S	15W	BEAVERHEAD
Total:	200.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

128141-00 128142-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

128128-00 128142-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/10/2005: MAXIMUM ACRES, PLACE OF USE.

THE MAXIMUM ACRES WAS AMENDED BY THE CLAIMANT ON 10/21/1992.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128143-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: JULY 1, 1886

Type of Historical Right: DECREED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 16.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 345.00

***Source Name:** BIG SWAMP CREEK
Source Type: SURFACE WATER

***Source Name:** BIG SWAMP CREEK, NORTH BRANCH
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWSE	30	4S	15W	BEAVERHEAD
	Source Name:	BIG SWAMP CREEK, NORTH BRANCH				
	Diversion Means:	HEADGATE				
2		NWNWNE	31	4S	15W	BEAVERHEAD
	Source Name:	BIG SWAMP CREEK, NORTH BRANCH				
	Diversion Means:	HEADGATE				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
3		NESENW	31	4S	15W	BEAVERHEAD
	Source Name: BIG SWAMP CREEK, NORTH BRANCH					
	Diversion Means: HEADGATE					
4		NWSENW	31	4S	15W	BEAVERHEAD
	Source Name: BIG SWAMP CREEK, NORTH BRANCH					
	Diversion Means: HEADGATE					
	Ditch Name: HOLTENHOFF-OZENBERH DITCH					
5		NWNWSW	31	4S	15W	BEAVERHEAD
	Source Name: BIG SWAMP CREEK, NORTH BRANCH					
	Diversion Means: HEADGATE					
6		SWSWNW	6	5S	15W	BEAVERHEAD
	*Source Name: BIG SWAMP CREEK					
	Diversion Means: HEADGATE					
	Ditch Name: HOLTENHOFF-OZENBERH DITCH					
Period of Use: APRIL 1 TO SEPTEMBER 1						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	25.00		NESE	30	4S	15W	BEAVERHEAD
2	80.00		W2SE	30	4S	15W	BEAVERHEAD
3	80.00		E2SW	30	4S	15W	BEAVERHEAD
4	80.00		W2NE	31	4S	15W	BEAVERHEAD
5	80.00		E2NW	31	4S	15W	BEAVERHEAD
Total:	345.00						

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

128121-00 128143-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/10/2005: SOURCE, POINT OF DIVERSION.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 21.00 GPM PER ACRE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128144-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: DECEMBER 13, 1887

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 5.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 270.00

Source Name: BIG LAKE CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS LAKE CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SEN	WNE	22	4S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: AJAX DITCH NO. 1

Period of Use: APRIL 1 TO SEPTEMBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	35.00		W2SW	14	4S	16W	BEAVERHEAD
2	195.00		S2	15	4S	16W	BEAVERHEAD
3	40.00		N2NE	22	4S	16W	BEAVERHEAD
Total:	270.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

128140-00 128144-00 92805-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

128123-00 128144-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/23/1982: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. USDA AERIAL PHOTOGRAPH NO(S). 979-55 , DATED 09/19/79 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-12P-107 , DATED 08/09/55 , APPEARS TO INDICATE 188.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128145-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: SEPTEMBER 24, 1896

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 5.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 859.00

***Source Name:** BIG LAKE CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS LAKE CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNE	32		4S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: LOW FURLEY DITCH

Period of Use: APRIL 1 TO SEPTEMBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	246.00			23	4S	16W	BEAVERHEAD
2	81.00		N2N2	26	4S	16W	BEAVERHEAD
3	157.00		W2W2	27	4S	16W	BEAVERHEAD
4	32.00		NE	28	4S	16W	BEAVERHEAD
5	189.00		S2	28	4S	16W	BEAVERHEAD
6	118.00		NE	33	4S	16W	BEAVERHEAD
7	36.00		NWNW	34	4S	16W	BEAVERHEAD
Total:	859.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

128132-00 128136-00 128137-00 128145-00 92800-00 92802-00 92806-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

128122-00 128145-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/2/2005: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/23/1982: MAXIMUM ACRES, PLACE OF USE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 128146-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FORTY BAR RANCH INC
GENERAL DELIVERY
WISDOM, MT 59761 9999

Priority Date: MAY 18, 1892

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 10.35 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 612.00

Source Name: BIG SWAMP CREEK

Source Type: SURFACE WATER

Source Name: BIG SWAMP CREEK, NORTH BRANCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNW	29	4S	15W	BEAVERHEAD

Source Name: BIG SWAMP CREEK, NORTH BRANCH

Diversion Means: HEADGATE

2		NWNWSW	29	4S	15W	BEAVERHEAD
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Source Name: BIG SWAMP CREEK, NORTH BRANCH

Diversion Means: HEADGATE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
3		NENESE	36	4S	16W	BEAVERHEAD
Source Name:		BIG SWAMP CREEK, NORTH BRANCH				
Diversion Means:		HEADGATE				
Ditch Name:		SKELTON-MINDER DITCH				
4		NENENW	12	5S	16W	BEAVERHEAD
Source Name:		BIG SWAMP CREEK				
Diversion Means:		HEADGATE				
Ditch Name:		SKELTON-MINDER DITCH				
Period of Use:		APRIL 1 TO SEPTEMBER 1				

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	122.00		S2S2	19	4S	15W	BEAVERHEAD
2	53.00		S2SW	20	4S	15W	BEAVERHEAD
3	109.00		NW	29	4S	15W	BEAVERHEAD
4	328.00		N2	30	4S	15W	BEAVERHEAD
Total:	612.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

128138-00 128139-00 128146-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

128124-00 128146-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/10/2005: SOURCE, POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE, PRIORITY DATE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 130082-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: PARADISE VALLEY HUNTING LODGE
3900 HANCOCK AVE
BUTTE, MT 59701 4440

Priority Date: MAY 10, 1902

Type of Historical Right: USE

***Purpose(use):** MULTIPLE DOMESTIC

Flow Rate: 10.00 GPM

Volume: 1.00 AC-FT

Households: 4

***Source Name:** SPRING, UNNAMED TRIBUTARY OF JERRY CREEK

Source Type: GROUNDWATER

ALSO KNOWN AS COLD SPRING

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNE	28	2N	10W	SILVER BOW

Diversion Means: SPRING BOX

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSEW	28	2N	10W	SILVER BOW

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 131380-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: ROCKY MOUNTAIN MINERALS INC
PO BOX 487
RIVERTON, WY 82501 0487

***Priority Date:** DECEMBER 31, 1869

Type of Historical Right: USE

Purpose(use): MINING

Purpose Clarification: MILLING

Flow Rate: 1.00 CFS

***Volume:** THIS WATER RIGHT IS LIMITED TO THE VOLUME OF WATER HISTORICALLY USED FOR MINING PURPOSES.

Source Name: UNNAMED TRIBUTARY OF ROCHESTER CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS WATSECA MINE SHAFT

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SENE	31	2S	7W MADISON

Diversion Means: PUMP

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SE	SENE	31	2S	7W MADISON

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE BE HIGH FOR THIS PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 131389-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BILLIE B BREWTON
453 WHITAKER RD
LAGRANGE, GA 30240 3741

LLOYD C BREWTON
453 WHITAKER RD
LAGRANGE, GA 30240 3741

Priority Date: JULY 1, 1924

Type of Historical Right: USE

Purpose(use): DOMESTIC

Flow Rate: 25.00 GPM

Volume: 1.50 AC-FT

Households: 1

Maximum Acres: 1.00

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENW	11	4S	7W	MADISON

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.00		NENENW	11	4S	7W	MADISON

Total: 1.00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 131390-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BILLIE B BREWTON
453 WHITAKER RD
LAGRANGE, GA 30240 3741

LLOYD C BREWTON
453 WHITAKER RD
LAGRANGE, GA 30240 3741

***Priority Date:** NOVEMBER 10, 1924

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 2.27 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 60.00

***Source Name:** BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSEW	11	4S	7W	MADISON

Diversion Means: HEADGATE

Ditch Name: TALCOTT DITCH

Period of Use: APRIL 1 TO SEPTEMBER 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00		W2NW	NE 11	4S	7W	MADISON
2	40.00		E2NW	11	4S	7W	MADISON
Total:	60.00						

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

131390-00 131391-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 131390-00, 196238-00.

THE MADISON COUNTY WATER RESOURCES SURVEY (1954) APPEARS TO INDICATE 28.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 178-79 , DATED 09/07/1979 , APPEARS TO INDICATE 30.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE IS IN QUESTION. DOCUMENTATION IN THE FILE SUPPORTS 2 RIGHTS: 160 MINER INCHES DATED 11/10/1924 AND 200 MINERS INCHES DATED 6-29-1973.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 131391-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BILLIE B BREWTON
453 WHITAKER RD
LAGRANGE, GA 30240 3741

LLOYD C BREWTON
453 WHITAKER RD
LAGRANGE, GA 30240 3741

***Priority Date:** NOVEMBER 10, 1924

***Type of Historical Right:** FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	11	4S	7W	MADISON

Diversion Means: HEADGATE

Ditch Name: TALCOTT DITCH

2		SE	11	4S	7W	MADISON
---	--	----	----	----	----	---------

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

3		W2	11	4S	7W	MADISON
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2NE	11	4S	7W	MADISON
2			SEW	11	4S	7W	MADISON

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

131390-00 131391-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132392-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: SPEAR, K L & JAYNE IRREVOCABLE WEALTH TRUST
BRUCE VOSS, TRUSTEE
14882 BELLEZZA LN
NAPLES, FL 34110 2752

Priority Date: SEPTEMBER 11, 1908

Type of Historical Right: USE

Purpose(usage): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWNW	34	2N	13W	DEER LODGE

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: APRIL 1 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESWNW	34	2N	13W	DEER LODGE

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132393-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: SPEAR, K L & JAYNE IRREVOCABLE WEALTH TRUST
BRUCE VOSS, TRUSTEE
14882 BELLEZZA LN
NAPLES, FL 34110 2752

Priority Date: SEPTEMBER 11, 1908

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF LA MARCHE CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENE	34	2N	13W	DEER LODGE

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: APRIL 1 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENENE	34	2N	13W	DEER LODGE

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132394-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: SPEAR, K L & JAYNE IRREVOCABLE WEALTH TRUST
BRUCE VOSS, TRUSTEE
14882 BELLEZZA LN
NAPLES, FL 34110 2752

Priority Date: SEPTEMBER 11, 1908

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 4.62 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 122.00

Source Name: LA MARCHE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	34	2N	13W	DEER LODGE
	Diversion Means:	HEADGATE				
2		SW	34	2N	13W	DEER LODGE
	Diversion Means:	HEADGATE				
3		SE	34	2N	13W	DEER LODGE
	Diversion Means:	HEADGATE				

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	53.00			SE 34	2N	13W	DEER LODGE
2	51.00			SW 34	2N	13W	DEER LODGE
3	3.00			SESWNW 35	2N	13W	DEER LODGE
4	15.00			NWSW 35	2N	13W	DEER LODGE
Total:	122.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

132394-00 132395-00 132396-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/19/1999: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132395-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SPEAR, K L & JAYNE IRREVOCABLE WEALTH TRUST
BRUCE VOSS, TRUSTEE
14882 BELLEZZA LN
NAPLES, FL 34110 2752

Priority Date: SEPTEMBER 11, 1908

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 1.55 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 41.00

Source Name: MINNIE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESW	SE	33	2N	13W	DEER LODGE

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	36.00			SE	33	2N 13W	DEER LODGE
2	5.00		S2N	SW	34	2N 13W	DEER LODGE
Total:	41.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

132394-00 132395-00 132396-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/19/1999: PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132396-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SPEAR, K L & JAYNE IRREVOCABLE WEALTH TRUST
BRUCE VOSS, TRUSTEE
14882 BELLEZZA LN
NAPLES, FL 34110 2752

Priority Date: SEPTEMBER 11, 1908

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 1.78 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 47.00

***Source Name:** FISHTRAP CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	SE	SE	2N	13W	DEER LODGE

Diversion Means: HEADGATE

Ditch Name: ROBERTS DITCH

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	42.00			SE	33	2N 13W	DEER LODGE
2	5.00		S2N	SW	34	2N 13W	DEER LODGE
Total:	47.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

132394-00 132395-00 132396-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/19/1999: PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132397-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

CLEO ROSE D YOUNG
1900 LAFAYETTE AVE
BUTTE, MT 59701 5738

EDITH D FRANKLIN
% FINLEN
100 E BROADWAY ST APT 501
BUTTE, MT 59701 9357

GERALDINE D MATTEUCCI
1106 W PORPHYRY ST
BUTTE, MT 59701 2128

SHIRLEY D SAUERBIER
2001 LAFAYETTE AVE
BUTTE, MT 59701 6341

***Priority Date:** AUGUST 31, 1931

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 30.00 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 13.29

***Source Name:** BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSE	11	1S	10W	SILVER BOW

Diversion Means: PUMP

Period of Use: MARCH 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.00		SENESE	11	1S	10W	SILVER BOW
2	9.29		S2SE	11	1S	10W	SILVER BOW
3	2.00		SWNWSW	12	1S	10W	SILVER BOW
Total:	13.29						

THE PLACE OF USE INCLUDES RATTLESNAKE PLACER, MINERAL SURVEY NO. 5244.

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE SILVER BOW COUNTY WATER RESOURCES SURVEY (1955) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132398-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: ANTHONY J REYNOLDS
3120 W THORPE RD
SPOKANE, WA 99224 4613

Priority Date: MAY 17, 1973

Type of Historical Right: FILED

***Purpose(use):** MULTIPLE DOMESTIC

Flow Rate: 20.00 GPM

Volume: 1.70 AC-FT

Households: 2

Maximum Acres: 0.25

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWSE	11	1S	10W	SILVER BOW

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	0.25		SESWSE	11	1S	10W	SILVER BOW

Total: 0.25

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132399-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: ANTHONY J REYNOLDS
3120 W THORPE RD
SPOKANE, WA 99224 4613

***Priority Date:** JUNE 30, 1937

Type of Historical Right: USE

***Purpose(use):** MULTIPLE DOMESTIC

Flow Rate: 20.00 GPM

Volume: 1.70 AC-FT

Households: 2

Maximum Acres: 0.25

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSE	11	1S	10W	BEAVERHEAD

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	0.25		NWSWSE	11	1S	10W	BEAVERHEAD

Total: 0.25

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132551-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: MAY 1, 1932

Type of Historical Right: USE

***Purpose(use):** MULTIPLE DOMESTIC

Flow Rate: 1.50 GPM

Volume: 547.50 AC-FT

Households: 2

Source Name: UNNAMED TRIBUTARY OF BIG SWAMP CREEK, SOUTH BRANCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	SE	5S	15W	BEAVERHEAD

Diversion Means: PIPELINE

***Period of Use:** JANUARY 1 TO DECEMBER 31

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NE	SE	5S	15W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

132551-00 132555-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED VOLUME EXCEEDS THE 2.00 ACRE-FEET GUIDELINE FOR THIS PURPOSE. ITS ACCURACY CANNOT BE CONFIRMED DUE TO LACK OF DATA.

THE CLAIMED VOLUME EXCEEDS THE MAXIMUM FEASIBLE VOLUME. BASED ON THE FLOW RATE AND PERIOD OF USE, THE MAXIMUM VOLUME POSSIBLE IS 2.43 ACRE-FEET PER YEAR.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132552-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: MAY 1, 1959

Type of Historical Right: USE

***Purpose(use):** MULTIPLE DOMESTIC

Flow Rate: 5.00 GPM

Volume: 1,825.00 AC-FT

Households: 2

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNW	34	6S	15W	BEAVERHEAD

Diversion Means: PIPELINE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNWNW	34	6S	15W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

132552-00 132554-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED VOLUME EXCEEDS THE 2.00 ACRE-FEET GUIDELINE FOR THIS PURPOSE. ITS ACCURACY CANNOT BE CONFIRMED DUE TO LACK OF DATA.

THE CLAIMED VOLUME EXCEEDS THE MAXIMUM FEASIBLE VOLUME. BASED ON THE FLOW RATE AND PERIOD OF USE, THE MAXIMUM VOLUME POSSIBLE IS 8.09 ACRE-FEET PER YEAR.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132553-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: MAY 1, 1938

Type of Historical Right: USE

***Purpose(use):** MULTIPLE DOMESTIC

Flow Rate: 5.00 GPM

Volume: 547.50 AC-FT

Households: 2

***Source Name:** GROUNDWATER

Source Type: GROUNDWATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	SE	5S	15W	BEAVERHEAD

Diversion Means: WELL

***Period of Use:** JANUARY 1 TO DECEMBER 31

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NE	SE	5S	15W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

132553-00 132556-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED VOLUME EXCEEDS THE 2.00 ACRE-FEET GUIDELINE FOR THIS PURPOSE. ITS ACCURACY CANNOT BE CONFIRMED DUE TO LACK OF DATA.

THE CLAIMED VOLUME EXCEEDS THE MAXIMUM FEASIBLE VOLUME. BASED ON THE FLOW RATE AND PERIOD OF USE, THE MAXIMUM VOLUME POSSIBLE IS 8.09 ACRE-FEET PER YEAR.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132554-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: MAY 1, 1959

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		SWNWNW	34	6S	15W	BEAVERHEAD	

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

***Period of Use:** JANUARY 1 TO DECEMBER 31

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		SWNWNW	34	6S	15W	BEAVERHEAD	

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

132552-00 132554-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132555-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: MAY 1, 1932

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF BIG SWAMP CREEK, SOUTH BRANCH

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENENW	5	5S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

***Period of Use:** JANUARY 1 TO DECEMBER 31

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENENW	5	5S	15W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

132551-00 132555-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132556-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: MAY 1, 1932

***Type of Historical Right:** USE

Purpose(use): STOCK

Flow Rate: 6.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESENW	5	5S	15W	BEAVERHEAD

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESENW	5	5S	15W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

132553-00 132556-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132557-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: MAY 1, 1932

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 6.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** GROUNDWATER

Source Type: GROUNDWATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SEWN	5	5S	15W	BEAVERHEAD

Diversion Means: WELL

***Period of Use:** JANUARY 1 TO DECEMBER 31

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SEWN	5	5S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132558-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: MAY 1, 1932

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF BIG SWAMP CREEK, NORTH BRANCH

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWN	NWN	31	4S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

***Period of Use:** JANUARY 1 TO DECEMBER 31

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWN	NWN	31	4S	15W BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132559-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: WITHDRAWN

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): STOCK

Flow Rate:

Volume:

Source Name: GROUNDWATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 08/24/1982.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132560-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): STOCK

Flow Rate:

Volume:

Source Name: SPRING, UNNAMED TRIBUTARY OF FOX GULCH

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 08/24/1982.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132561-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: MAY 1, 1959

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		NWN	NWN	35	6S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

***Period of Use:** JANUARY 1 TO DECEMBER 31

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			NWN	NWN	35	6S	15W BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132562-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: MAY 1, 1959

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF GOVERNOR CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	SE	NW	26	6S 15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

***Period of Use:** JANUARY 1 TO DECEMBER 31

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NE	SE	NW	26	6S 15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132563-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: MAY 1, 1959

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSESW	26	6S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

***Period of Use:** JANUARY 1 TO DECEMBER 31

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSESW	26	6S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132564-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: MAY 1, 1959

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		NWNENE	34	6S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

***Period of Use:** JANUARY 1 TO DECEMBER 31

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			NWNENE	34	6S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132565-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: MAY 1, 1932

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** UNNAMED TRIBUTARY OF BIG SWAMP CREEK, NORTH BRANCH

Source Type: SURFACE WATER
ALSO KNOWN AS SWAMP CREEK, NORTH FORK

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	36	4S	16W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

***Period of Use:** JANUARY 1 TO DECEMBER 31

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SE	36	4S	16W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132566-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: MAY 1, 1952

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 112.20 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 90.00

Source Name: SPRING, UNNAMED TRIBUTARY OF FOX GULCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWSW	27	4S	15W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	90.00		SE	28	4S	15W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	90.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

132566-00 132567-00 132568-00 132569-00 132576-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 29635-00, 132566-00, 132567-00, 132568-00, 132569-00, 132576-00.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. THE PLACE OF USE APPEARS TO BE ON STATE LANDS.

USDA AERIAL PHOTOGRAPH NO(S). 979-33 , DATED 09/19/1979 , APPEARS TO INDICATE 63.80 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 4P-163 , DATED 07/19/1955 , APPEARS TO INDICATE 67.90 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132567-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: MAY 1, 1952

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 282.74 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 90.00

***Source Name:** SPRING, UNNAMED TRIBUTARY OF FOX GULCH

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWSW	27	4S	15W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	90.00		SE	28	4S	15W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	90.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

132566-00 132567-00 132568-00 132569-00 132576-00

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THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. THE PLACE OF USE APPEARS TO BE ON STATE LANDS.

USDA AERIAL PHOTOGRAPH NO(S). 979-33 , DATED 09/19/1979 , APPEARS TO INDICATE 63.80 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 4P-163 , DATED 07/19/1955 , APPEARS TO INDICATE 67.90 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132568-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: MAY 1, 1952

Type of Historical Right: USE

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 58.34 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 90.00

Source Name: SPRING, UNNAMED TRIBUTARY OF FOX GULCH
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNENW	34	4S	15W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	90.00		SE	28	4S	15W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	90.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

132566-00 132567-00 132568-00 132569-00 132576-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 29635-00, 132566-00, 132567-00, 132568-00, 132569-00, 132576-00.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. THE PLACE OF USE APPEARS TO BE ON STATE LANDS.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 25 TO OCTOBER 5.

USDA AERIAL PHOTOGRAPH NO(S). 979-33 , DATED 09/19/1979 , APPEARS TO INDICATE 63.80 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 49-163 , DATED 07/19/1955 , APPEARS TO INDICATE 67.90 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132569-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: MAY 1, 1952

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 112.20 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 90.00

***Source Name:** SPRING, UNNAMED TRIBUTARY OF FOX GULCH

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWNW	34	4S	15W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	90.00		SE	28	4S	15W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	90.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

132566-00 132567-00 132568-00 132569-00 132576-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 29635-00, 132566-00, 132567-00, 132568-00, 132569-00, 132576-00.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. THE PLACE OF USE APPEARS TO BE ON STATE LANDS.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 25 TO OCTOBER 5.

USDA AERIAL PHOTOGRAPH NO(S). 979-33 , DATED 09/19/1979 , APPEARS TO INDICATE 63.80 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 4P-163 , DATED 07/19/1955 , APPEARS TO INDICATE 67.90 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132570-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: MAY 30, 1899

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 9.47 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 250.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	SENE	4	7S	15W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	120.00		N2	34	6S	15W	BEAVERHEAD
2	130.00		S2	34	6S	15W	BEAVERHEAD
Total:	250.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

132570-00 132572-00 132573-00 132574-00 132575-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 979-39 , DATED 09/19/1979 , APPEARS TO INDICATE 192.30 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 13P-008 , DATED 08/09/1955 , APPEARS TO INDICATE 202.40 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

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Water Right Number: 41D 132571-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: MAY 1, 1888

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 25.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 760.00

***Source Name:** LITTLE LAKE CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	7	5S	15W	BEAVERHEAD

Diversion Means: HEADGATE

WATER DIVERTED FROM LITTLE LAKE CREEK IS CONVEYED TO BIG SWAMP CREEK, SOUTH BRANCH WHICH IS USED AS A NATURAL CARRIER TO CONVEY WATER TO THE PLACE OF USE.

Period of Use:

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	160.00		SW	32	4S	15W	BEAVERHEAD
2	320.00		N2	5	5S	15W	BEAVERHEAD
3	280.00		S2	5	5S	15W	BEAVERHEAD
Total:	760.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

132571-00 132578-00 132579-00 132580-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. NO PERIOD OF USE HAS BEEN CLAIMED. THE USUAL AND REASONABLE PERIOD OF USE IN THIS AREA IS APRIL 25 TO OCTOBER 5.

USDA AERIAL PHOTOGRAPH NO(S). 979-35 , DATED 09/19/1979 , APPEARS TO INDICATE 646.62 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 4P-161 AND CXM 12P-135 , DATED 07/19/1955 AND 08/09/1955 , APPEARS TO INDICATE 588.60 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132572-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: JUNE 9, 1919

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 4.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 110.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENENE	8	7S	15W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: DAVIS DITCH

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	30.00		NW	2	7S	15W	BEAVERHEAD
2	80.00		NE	3	7S	15W	BEAVERHEAD
Total:	110.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

132570-00 132572-00 132573-00 132574-00 132575-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 979-39 , DATED 09/19/1979 , APPEARS TO INDICATE 76.10 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 13P-6 , DATED 08/09/1955 , APPEARS TO INDICATE 75.60 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132573-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: OCTOBER 12, 1923

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 2.27 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 60.00

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER
ALSO KNOWN AS WILLOW SPRING

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N	3	7S	15W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	30.00		NW	2	7S	15W	BEAVERHEAD
2	30.00		NE	3	7S	15W	BEAVERHEAD
Total:	60.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

132570-00 132572-00 132573-00 132574-00 132575-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. USDA AERIAL PHOTOGRAPH NO(S). 979-39 , DATED 09/17/1979 , APPEARS TO INDICATE 57.80 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
AERIAL PHOTOGRAPH NO(S). CXM 13P-008 , DATED 08/09/1955 , APPEARS TO INDICATE 60.90 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132574-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: JULY 3, 1897

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 12.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 400.00

Source Name: ENGLEBAUGH CREEK, EAST FORK

Source Type: SURFACE WATER

ALSO KNOWN AS MULKEY CREEK, EAST FORK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENENE	8	7S	15W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	55.00		NE	34	6S	15W	BEAVERHEAD
2	110.00		NW	34	6S	15W	BEAVERHEAD
3	105.00		SE	34	6S	15W	BEAVERHEAD
4	50.00		NW	2	7S	15W	BEAVERHEAD
5	80.00		NE	3	7S	15W	BEAVERHEAD
Total:	400.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

132570-00 132572-00 132573-00 132574-00 132575-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 979-39 , DATED 09/19/1979 , APPEARS TO INDICATE 247.20 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM P-006 AND CXM P-008 , DATED 08/09/1955 , APPEARS TO INDICATE 228.90 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132575-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: JULY 3, 1897

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 146.00

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER
ALSO KNOWN AS MULKEY SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SES	SW	1	7S	15W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	45.00		NE	34	6S	15W	BEAVERHEAD
2	15.00		NW	34	6S	15W	BEAVERHEAD
3	31.00		SE	34	6S	15W	BEAVERHEAD
4	6.00		W2SW	35	6S	15W	BEAVERHEAD
5	34.00		W2NW	2	7S	15W	BEAVERHEAD
6	15.00		NE	3	7S	15W	BEAVERHEAD
Total:	146.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

132570-00 132572-00 132573-00 132574-00 132575-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 182268-00, 132575-00.

USDA AERIAL PHOTOGRAPH NO(S). 979-39 , DATED 09/19/1979 , APPEARS TO INDICATE 81.30 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM P-006 AND CXM P-008 , DATED 08/09/1955 , APPEARS TO INDICATE 103.60 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE SOURCE AND POINT OF DIVERSION DIFFER ON THE FOLLOWING CLAIMS, EVEN THOUGH THEY ARE BASED ON THE SAME FILED APPROPRIATION. 132575-00, 182268-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132576-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: MAY 1, 1952

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 7.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 206.00

***Source Name:** WARM SPRINGS CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWNW	26	5S	15W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: HELMING (DISHNO WATER CO) DITCH

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	6.00		SWSWSW	27	4S	15W	BEAVERHEAD
2	90.00		SE	28	4S	15W	BEAVERHEAD
3	60.00		NE	33	4S	15W	BEAVERHEAD
4	50.00		NW	34	4S	15W	BEAVERHEAD
Total:	206.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

132566-00 132567-00 132568-00 132569-00 132576-00

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 08/25/1982.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 29635-00, 132566-00, 132567-00, 132568-00, 132569-00, 132576-00.

USDA AERIAL PHOTOGRAPH NO(S). 979-33 , DATED 09/19/1997 , APPEARS TO INDICATE 178.21 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 40-163 , DATED 07/19/1955 , APPEARS TO INDICATE 126.30 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON WARM SPRINGS CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 2911 BEAVERHEAD COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132577-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: MAY 1, 1932

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 4.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 160.00

***Source Name:** BIG SWAMP CREEK, NORTH BRANCH

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWSE	36	4S	16W	BEAVERHEAD

Diversion Means: HEADGATE

2		SWSWSE	36	4S	16W	BEAVERHEAD
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Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	160.00		SE	36	4S	16W	BEAVERHEAD
Total:	160.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON BIG SWAMP CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 2872 BEAVERHEAD COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132578-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: MAY 24, 1892

Type of Historical Right: DECREED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 4.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 200.00

Source Name: BIG SWAMP CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SW	SE	SW	4S	15W	BEAVERHEAD
	Diversion Means:	HEADGATE					
2		SE	SE	SW	4S	15W	BEAVERHEAD
	Diversion Means:	HEADGATE					
Period of Use:	MAY 1 TO OCTOBER 31						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	150.00		SE	31	4S	15W	BEAVERHEAD
2	50.00		SW	32	4S	15W	BEAVERHEAD
Total:	200.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

132571-00 132578-00 132579-00 132580-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 160 MINER'S INCHES DECREED IN CASE NO. 2872 , BEAVERHEAD COUNTY. 128141-00, 132578-00.

USDA AERIAL PHOTOGRAPH NO(S). 979-36 , DATED 09/19/1979 , APPEARS TO INDICATE 180.64 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 12P-135, CXM 4P-161 , DATED 08/09/1955, 07/19/1955 , APPEARS TO INDICATE 183.48 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132579-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: SEPTEMBER 16, 1899

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.97 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 130.00

***Source Name:** BIG SWAMP CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SEN	WNW	7	5S 15W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: NELSON-SORENSEN DITCH

WATER DIVERTED FROM SOURCE IS CONVEYED TO BIG SWAMP CREEK, SOUTH BRANCH WHICH IS USED AS A NATURAL CARRIER TO CONVEY WATER TO THE PLACE OF USE.

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	90.00		SW	32	4S	15W	BEAVERHEAD
2	40.00		N2NW	5	5S	15W	BEAVERHEAD
Total:	130.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

132571-00 132578-00 132579-00 132580-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-35 , DATED 09/19/1979 , APPEARS TO INDICATE 105.92 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 12P-135 , DATED 08/09/1955 , APPEARS TO INDICATE 110.42 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE POINT OF DIVERSION AND SOURCE MAY BE QUESTIONABLE. USGS QUADRANGLE, AJAX RANCH, DOES NOT SHOW A FLOWING STREAM AT THE CLAIMED POINT OF DIVERSION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 132580-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAROLD D PETERSON
GENERAL DELIVERY
WISDOM, MT 59761 9999

PETERSON BROS CATTLE CO
1801 SWAMP CREEK LN
WISDOM, MT 59761 9999

Priority Date: MAY 1, 1888

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 10.16 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 830.00

***Source Name:** BIG SWAMP CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNW	7	5S	15W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: NELSON-SORENSEN DITCH

WATER DIVERTED FROM SOURCE IS CONVEYED TO BIG SWAMP CREEK, SOUTH BRANCH WHICH IS USED AS A NATURAL CARRIER TO CONVEY WATER TO THE PLACE OF USE.

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	30.00		E2SE	31	4S	15W	BEAVERHEAD
2	160.00		SW	32	4S	15W	BEAVERHEAD
3	640.00			5	5S	15W	BEAVERHEAD
Total:	830.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

132571-00 132578-00 132579-00 132580-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-35 , DATED 09/19/1979 , APPEARS TO INDICATE 575.70 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 4P-16, CXM 12P-135 , DATED 07/19/1955, 08/09/1955 , APPEARS TO INDICATE 522.90 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE POINT OF DIVERSION AND SOURCE MAY BE QUESTIONABLE. USGS QUADRANGLE, AJAX RANCH, DOES NOT SHOW A FLOWING STREAM AT THE CLAIMED POINT OF DIVERSION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 133634-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HARVEY LIVING TRUST
EDWARD & CAROL HARVEY TRUSTEES
PO BOX 114
DIVIDE, MT 59727 0114

Priority Date: MAY 1, 1872

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: DIVIDE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N2SWNE	8	1S	9W	SILVER BOW

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		S2NWNE	8	1S	9W	SILVER BOW
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2SWNE	8	1S	9W	SILVER BOW
2			S2NWNE	8	1S	9W	SILVER BOW

Place of Use:

ID Acres Govt Lot Qtr Sec Sec Twp Rge County

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

133634-00 133638-00 133639-00

THE MEANS OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 08/09/1982.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 133635-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HARVEY LIVING TRUST
EDWARD & CAROL HARVEY TRUSTEES
PO BOX 114
DIVIDE, MT 59727 0114

***Priority Date:** DECEMBER 31, 1918

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF DIVIDE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNENE	8	1S	9W	SILVER BOW

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNENE	8	1S	9W	SILVER BOW

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 133636-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HARVEY LIVING TRUST
EDWARD & CAROL HARVEY TRUSTEES
PO BOX 114
DIVIDE, MT 59727 0114

***Priority Date:** DECEMBER 31, 1947

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 10.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: GROUNDWATER
Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNE	8	1S	9W	SILVER BOW

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESWNE	8	1S	9W	SILVER BOW

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

133636-00 133637-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 133637-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HARVEY LIVING TRUST
EDWARD & CAROL HARVEY TRUSTEES
PO BOX 114
DIVIDE, MT 59727 0114

***Priority Date:** DECEMBER 31, 1947

Type of Historical Right: USE

***Purpose(use):** MULTIPLE DOMESTIC

Flow Rate: 10.00 GPM

Volume: 1.50 AC-FT

Households: 2

Maximum Acres: 1.00

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNE	8	1S	9W	SILVER BOW

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.00		NESWNE	8	1S	9W	SILVER BOW

Total: 1.00

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

133636-00 133637-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED VOLUME APPEARS TO BE INADEQUATE FOR THE CLAIMED PURPOSE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 133638-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HARVEY LIVING TRUST
EDWARD & CAROL HARVEY TRUSTEES
PO BOX 114
DIVIDE, MT 59727 0114

Priority Date: MAY 1, 1872

Type of Historical Right: DECREED

Purpose(use): DOMESTIC

Flow Rate: 15.00 GPM

Volume: 2.50 AC-FT

Households: 1

Maximum Acres: 1.00

Source Name: DIVIDE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNE	8		1S	9W	SILVER BOW

Diversion Means: PUMP

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.00		NESWNE	8	1S	9W	SILVER BOW

Total: 1.00

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

133634-00 133638-00 133639-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 115 MINER'S INCHES DECREED IN CASE NO. A6450 , SILVER BOW COUNTY. 93180-00, 93696-00, 133638-00, 133639-00, 133641-00.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 133639-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HARVEY LIVING TRUST
EDWARD & CAROL HARVEY TRUSTEES
PO BOX 114
DIVIDE, MT 59727 0114

Priority Date: MAY 1, 1872

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 1.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 34.00

***Source Name:** DIVIDE CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNE	8	1S	9W	SILVER BOW

Diversion Means: PUMP

2		NWSESE	5	1S	9W	SILVER BOW
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Diversion Means: HEADGATE

Ditch Name: FOREST DITCH NO. 2

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00		S2NWNE	8	1S	9W	SILVER BOW
2	14.00		N2SWNE	8	1S	9W	SILVER BOW
Total:	34.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

133639-00 133640-00 133641-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

133634-00 133638-00 133639-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/09/1982: MEANS OF DIVERSION, POINT OF DIVERSION.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 115 MINER'S INCHES DECREED IN CASE NO. A6450 , SILVER BOW COUNTY. 93180-00, 93696-00, 133638-00, 133639-00, 133641-00.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 15 TO OCTOBER 15.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 133640-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HARVEY LIVING TRUST
EDWARD & CAROL HARVEY TRUSTEES
PO BOX 114
DIVIDE, MT 59727 0114

Priority Date: JUNE 1, 1900

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 394.94 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 34.00

***Source Name:** DIVIDE CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNE	8	1S	9W	SILVER BOW

Diversion Means: PUMP

2		NWSESE	5	1S	9W	SILVER BOW
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Diversion Means: DITCH

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00		S2NWNE	8	1S	9W	SILVER BOW
2	14.00		N2SWNE	8	1S	9W	SILVER BOW
Total:	34.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

133639-00 133640-00 133641-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/09/1982: POINT OF DIVERSION, MEANS OF DIVERSION, IRRIGATION TYPE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 133641-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HARVEY LIVING TRUST
EDWARD & CAROL HARVEY TRUSTEES
PO BOX 114
DIVIDE, MT 59727 0114

Priority Date: MAY 1, 1872

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 44.88 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 10.00

Source Name: WILLOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNE	8	1S	9W	SILVER BOW

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	10.00		S2NWNE	8	1S	9W	SILVER BOW

Total: 10.00

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

133639-00 133640-00 133641-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 115 MINER'S INCHES DECREED IN CASE NO. A6450 , SILVER BOW COUNTY. 93180-00, 93696-00, 133638-00, 133639-00, 133641-00.

THE PRIORITY DATE MAY BE QUESTIONABLE. THE SOURCE (DIVIDE CREEK) DESCRIBED IN CASE NO. A6450 , BEAVERHEAD COUNTY, IS INCONSISTENT WITH THE CLAIMED SOURCE (WILLOW CREEK)

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 134011-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SEYLER RANCH INC
PO BOX 1353
DILLON, MT 59725 1353

***Priority Date:** JUNE 7, 1894

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 2.08 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 55.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	1		4S	7W	MADISON

Diversion Means: HEADGATE

Ditch Name: SEYLER-HARVEY DITCH

Period of Use: MAY 15 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	55.00		NE	31	3S	6W	MADISON
Total:	55.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

AS OF 07/19/2006 , THIS WATER RIGHT APPEARS TO BE OWNED BY BIG HOLE DOUBLECREEK RANCH LLC , 42 GLOUCHESTER RD , SUMMIT , NJ 07901-3023.

THE MADISON COUNTY WATER RESOURCES SURVEY (1954) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO(S). 178-79 , DATED 09/07/1979 , APPEARS TO INDICATE 38.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 134016-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DEBBIE L KEARNS
PO BOX 130
MELROSE, MT 59743 0130

ROBERT D KEARNS
PO BOX 130
MELROSE, MT 59743 0130

Priority Date: JULY 3, 1875

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 191.25 GPM

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 11.25

Source Name: MOOSE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNESE	2	1S	8W	SILVER BOW

Diversion Means: HEADGATE

Period of Use: JUNE 1 TO SEPTEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	11.25		N2N2SE	2	1S	8W	SILVER BOW
Total:	11.25						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/17/1998: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE SILVER BOW COUNTY WATER RESOURCES SURVEY (1955) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO(S). 378-70 , DATED 09/07/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

IT APPEARS POINT OF DIVERSION NO. 1 MAY BE INCORRECT. THE EXISTENCE OF A DIVERSION FACILITY AND CONVEYANCE DITCH CANNOT BE CONFIRMED FROM AVAILABLE DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59711-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 134017-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DEBBIE L KEARNS
PO BOX 130
MELROSE, MT 59743 0130

ROBERT D KEARNS
PO BOX 130
MELROSE, MT 59743 0130

Priority Date: NOVEMBER 17, 1879

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 224.40 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 21.25

Source Name: UNNAMED TRIBUTARY OF MOOSE CREEK, MIDDLE FORK

Source Type: SURFACE WATER
ALSO KNOWN AS BLACKTAIL CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENESE	2	1S	8W	SILVER BOW

Diversion Means: HEADGATE

Period of Use: JUNE 1 TO SEPTEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	10.50		SWNE	2	1S	8W	SILVER BOW
2	8.75		NWSE	2	1S	8W	SILVER BOW
3	2.00		NENESW	2	1S	8W	SILVER BOW
Total:	21.25						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/17/1998: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE SILVER BOW COUNTY WATER RESOURCES SURVEY (1955) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO(S). 378-20 , DATED 09/07/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

IT APPEARS POINT OF DIVERSION NO. 1 MAY BE INCORRECT. THE EXISTENCE OF A DIVERSION FACILITY AND CONVEYANCE DITCH CANNOT BE CONFIRMED FROM AVAILABLE DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 135048-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: TAMMY M TOTTEN
2426 MT HWY 41 S
TWIN BRIDGES, MT 59754 9719

WILLIAM E TOTTEN
2426 MT HWY 41 S
TWIN BRIDGES, MT 59754 9719

Priority Date: JANUARY 1, 1914

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 3.64 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 96.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSESW	11	4S	7W	MADISON

Diversion Means: HEADGATE

WATER FROM BIG HOLE RIVER IS CONVEYED THROUGH BIG HOLE COOPERATIVE DITCH AND SCHOOLHOUSE SLOUGH TO THE PLACE OF USE.

Period of Use: MAY 15 TO OCTOBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	96.00		N2N2	8	4S	6W	MADISON
Total:	96.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

135048-00 195094-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 178-79 , DATED 09/07/1979 , APPEARS TO INDICATE 77.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). MMA-1-161 AND CXK-2B-82 , DATED 10/09/1951 , APPEARS TO INDICATE 72.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 135739-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: MAY 15, 1958

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** UNNAMED TRIBUTARY OF COW CABIN CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNESE	23	4S	15W	BEAVERHEAD

Diversion Means: DAM

***Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWNESE	23	4S	15W	BEAVERHEAD

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNESE	23	4S	15W	BEAVERHEAD

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE PERIOD OF DIVERSION FROM THE SOURCE INTO STORAGE CANNOT BE IDENTIFIED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 136327-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: LAST OF THE WEST LIVESTOCK CO
PO BOX 122
MELROSE, MT 59743 0122

MCCULLOUGH RANCHES INC
PO BOX 88
MELROSE, MT 59743 0088

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: MAY 31, 1886

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 5.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 143.00

***Source Name:** BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	NE	27	2S	9W	SILVER BOW

Diversion Means: HEADGATE

Ditch Name: PENDERGAST DITCH

WATER IS DIVERTED FROM THE BIG HOLE RIVER INTO THE PENDERGAST DITCH (AKA TUNNEL DITCH) AND CONVEYED THROUGH THE GALLAGHER DITCH TO THE PLACE OF USE.

Period of Use: MAY 1 TO OCTOBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	37.00		W2NE	11	3S	9W	MADISON
2	26.00		W2SE	11	3S	9W	MADISON
3	5.00		E2SESW	11	3S	9W	MADISON
4	31.00		W2W2NE	14	3S	9W	MADISON
5	25.00		E2NW	14	3S	9W	MADISON
6	19.00		E2SW	14	3S	9W	MADISON
Total:	143.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

136327-00 36745-00 36747-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/15/2004: PRIORITY DATE, MAXIMUM ACRES, PLACE OF USE.

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 09/15/2004.

AUTHORIZATION TO CHANGE POINT OF DIVERSION COMPLETED 10/27/1987. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE UPDATED IN THE CENTRALIZED RECORDS SYSTEM AFTER FINAL DECREE. SEE AUTHORIZATION TO CHANGE NO. 136327-00.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 136328-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MCCULLOUGH RANCHES INC
PO BOX 88
MELROSE, MT 59743 0088

Priority Date: APRIL 30, 1882

Type of Historical Right: FILED

Purpose(use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 3.13 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 130.00

Source Name: BIG HOLE RIVER
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNE	2	3S	9W	MADISON

Diversion Means: HEADGATE
Ditch Name: STREB DITCH

Period of Use: MAY 1 TO OCTOBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	70.00		NE	11	3S	9W	MADISON
2	60.00		N2SE	11	3S	9W	MADISON
Total:	130.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

136328-00 36742-00

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 09/15/2004.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 136958-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: MARCH 2, 1916

Type of Historical Right: USE

Purpose(usage): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** UNNAMED TRIBUTARY OF BIRCH CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		W2	9	5S	9W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		N2NE	9	5S	9W	BEAVERHEAD
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2	9	5S	9W	BEAVERHEAD
2			N2NE	9	5S	9W	BEAVERHEAD

Place of Use:

ID Acres Govt Lot Qtr Sec Sec Twp Rge County

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE SOURCE COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137042-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: APRIL 17, 1942

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENE	36	4S	9W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENE	36	4S	9W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137059-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: MAY 1, 1913

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: DRY GULCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	12	3S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NW	12	3S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137060-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: DECEMBER 2, 1917

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: DRY GULCH
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	11	3S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NE	11	3S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137064-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: APRIL 25, 1917

Type of Historical Right: USE

Purpose(usage): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BIG LAKE CREEK
Source Type: SURFACE WATER
ALSO KNOWN AS LAKE CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			22	4S	16W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1				22	4S	16W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137069-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: DECEMBER 30, 1911

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BIG HOLE RIVER, NORTH FORK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2	36	1S	16W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2	36	1S	16W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137071-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: APRIL 3, 1923

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF BIG HOLE RIVER
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	36	1S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NE	36	1S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137072-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: APRIL 3, 1923

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF BIG HOLE RIVER
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	35	1S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NE	35	1S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137073-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: APRIL 25, 1912

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF STEEL CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N2	35	2S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2	35	2S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137074-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: MAY 5, 1920

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: MCVEY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N2	12	2S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2	12	2S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137075-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: JULY 26, 1920

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N2	11	2S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2	11	2S	15W	BEAVERHEAD

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137076-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: APRIL 5, 1918

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: MCVEY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	2	2S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NE	2	2S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137077-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: MAY 19, 1922

Type of Historical Right: USE

Purpose(usage): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: MCVEY CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSW	1	2S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		N2	1	2S	15W	BEAVERHEAD
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSW	1	2S	15W	BEAVERHEAD
2			N2	1	2S	15W	BEAVERHEAD

Place of Use:

ID Acres Govt Lot Qtr Sec Sec Twp Rge County

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE POINT OF DIVERSION COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.
THE SOURCE COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137104-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: MAY 19, 1922

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF MCVEY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N2	1	2S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2	1	2S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137107-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: DECEMBER 7, 1911

Type of Historical Right: USE

Purpose(usage): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: FOX GULCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	27	4S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SE	27	4S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137108-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: DECEMBER 7, 1911

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: FOX GULCH
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2S2	26	4S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2S2	26	4S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137109-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: DECEMBER 7, 1911

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF BIG HOLE RIVER
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N2NW	34	4S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2NW	34	4S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137110-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: DECEMBER 7, 1911

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESE	28	4S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESE	28	4S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137134-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: AUGUST 6, 1913

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: COW CABIN CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	25	6S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NE	25	6S	14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137135-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: AUGUST 6, 1913

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: COW CABIN CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	24	6S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		W2	24	6S	14W	BEAVERHEAD
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SE	24	6S	14W	BEAVERHEAD
2			W2	24	6S	14W	BEAVERHEAD

Place of Use:

ID Acres Govt Lot Qtr Sec Sec Twp Rge County

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE POINT OF DIVERSION COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137136-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: AUGUST 6, 1913

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: COW CABIN CREEK, NORTH FORK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N2	24	6S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2	24	6S	14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137137-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: AUGUST 6, 1913

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF BULL CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		E2	13	6S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2	13	6S	14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137154-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: AUGUST 6, 1913

Type of Historical Right: USE

Purpose(usage): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: COW CABIN CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESW	14	6S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESW	14	6S	14W	BEAVERHEAD

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE POINT OF DIVERSION COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137155-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: FEBRUARY 20, 1920

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF STEEL CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2S2	23	2S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2S2	23	2S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137156-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: MAY 8, 1921

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2	14	2S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2	14	2S	15W	BEAVERHEAD

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE POINT OF DIVERSION COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137157-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: FEBRUARY 20, 1920

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SW	13	2S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SW	13	2S	15W	BEAVERHEAD

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE PLACE OF USE LEGAL LAND DESCRIPTION COULD NOT BE REFINED FROM INFORMATION IN THE CLAIM FILE.

THE POINT OF DIVERSION LEGAL LAND DESCRIPTION COULD NOT BE REFINED FROM INFORMATION IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137158-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: MAY 1, 1911

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** TOOMEY CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		E2NENW	25	1N	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2NENW	25	1N	14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137159-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: MAY 1, 1911

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2NW	24		1N	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2		NESW	24		1N	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3		S2SE	24		1N	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
Period of Use:	JANUARY 1 TO DECEMBER 31						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2NW	24	1N	14W	BEAVERHEAD
2			NESW	24	1N	14W	BEAVERHEAD
3			S2SE	24	1N	14W	BEAVERHEAD

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE POINT OF DIVERSION COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137171-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: JUNE 13, 1915

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	36	4S	9W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NE	36	4S	9W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137175-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: JUNE 23, 1914

Type of Historical Right: USE

Purpose(usage): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF BIG HOLE RIVER
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SW	23	5S	9W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SW	23	5S	9W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137197-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: APRIL 22, 1916

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** MOOSE CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		W2NW	36	3S	17W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			W2NW	36	3S	17W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137198-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: APRIL 22, 1916

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** MOOSE CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N2NWSW	36	3S	17W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2NWSW	36	3S	17W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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Water Right Number: 41D 137199-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: MAY 1, 1913

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF FRANCIS CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2S2	13	3S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2S2	13	3S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137200-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: MAY 1, 1913

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: DRY GULCH
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SW	12	3S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SW	12	3S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137201-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: FEBRUARY 20, 1912

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF BIG HOLE RIVER, NORTH FORK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	16	2S	16W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NE	16	2S	16W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137202-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: JANUARY 15, 1913

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		E2E2	16	2S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2E2	16	2S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137203-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: JULY 12, 1912

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: MUSSIGBROD CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		N2NW	16	1S	16W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			N2NW	16	1S	16W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137204-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: APRIL 3, 1923

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: MCVEY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SW	35	1S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SW	35	1S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137205-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: JULY 23, 1911

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: PLIMPTON CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS THOMPSON CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2	16	1S	15W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2	16	1S	15W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137207-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: MAY 1, 1911

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2NE	26	1N	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2NE	26	1N	14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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Water Right Number: 41D 137258-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: JULY 16, 1895

***Type of Historical Right:** FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 112.20 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 7.00

***Source Name:** BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSESE	11	1S	10W	SILVER BOW

Diversion Means: HEADGATE

WATER DIVERTED FROM BIG HOLE RIVER IS CONVEYED TO DIVIDE CREEK WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POINT OF DIVERSION IN THE NENENW SEC 17 TWP 01S RGE 09W BEAVERHEAD COUNTY.

Period of Use: APRIL 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	7.00		SWNWSE	17	1S	9W	SILVER BOW
Total:	7.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

137258-00 137259-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE COMBINED CLAIMED FLOW RATE FOR THIS GROUP OF SUPPLEMENTAL RIGHTS IS 256.46 GPM PER ACRE. THE FLOW RATE GUIDELINE FOR INDIVIDUAL CLAIMS IS 17 GPM PER ACRE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 137259-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS
TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA, MT 59620 1601

Priority Date: MAY 1, 1874

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 3.75 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 7.00

Source Name: DIVIDE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESESW	8	1S	9W	SILVER BOW

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO OCTOBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	7.00		NWSE	17	1S	9W	SILVER BOW

Total: 7.00

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

137258-00 137259-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 150 MINER'S INCHES DECREED IN CASE NO. A6450 , SILVER BOW COUNTY. 93164, 93698, 137259.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 240.00 GPM PER ACRE.

THE COMBINED CLAIMED FLOW RATE FOR THIS GROUP OF SUPPLEMENTAL RIGHTS IS 256.46 GPM PER ACRE. THE FLOW RATE GUIDELINE FOR INDIVIDUAL CLAIMS IS 17 GPM PER ACRE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 138092-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: HAMILTON RANCHES PARTNERSHIP
300 PARK BLVD SUITE 500
ITASCA, IL 60143 2635**

Priority Date: JANUARY 1, 1914

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate: 12.69 CFS**

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 335.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSEW	11	4S	7W	MADISON

Diversion Means: HEADGATE

Ditch Name: BIG HOLE COOPERATIVE DITCH

WATER RELEASED FROM BIG HOLE RIVER USES BEAVERHEAD RIVER AS A NATURAL CARRIER TO CONVEY WATER TO THE PLACE OF USE.

Period of Use: MAY 10 TO OCTOBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	200.00		E2	33	3S	6W	MADISON
2	15.00		W2	33	3S	6W	MADISON
3	10.00		N2	33	3S	6W	MADISON
4	110.00		W2	34	3S	6W	MADISON
Total:	335.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

103741-00 138092-00 195091-00 195092-00 195093-00

AUTHORIZATION TO CHANGE POINT OF DIVERSION OF A PORTION (1,295 GPM UP TO 700 ACRE- FEET) COMPLETED 12/29/1982. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE UPDATED IN THE CENTRALIZED RECORDS SYSTEM AFTER FINAL DECREE. SEE AUTHORIZATION TO CHANGE NO. 138092-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 140853-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOE HOLLY
PO BOX 703
OAKRIDGE, OR 97463 0703

MARY HOLLY
907 S MAIN ST
BUTTE, MT 59701 4738

***Priority Date:** JULY 22, 1966

***Type of Historical Right:** FILED

Purpose(use): DOMESTIC

Flow Rate: 30.00 GPM

***Volume:** 3.00 AC-FT

Households: 1

Maximum Acres: 1.00

***Source Name:** GROUNDWATER

Source Type: GROUNDWATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENESE	5	1S	10W	BEAVERHEAD

Diversion Means: WELL

***Period of Use:** JANUARY 1 TO DECEMBER 31

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.00		NENESE	5	1S	10W	BEAVERHEAD

Total: 1.00

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE DUPLICATE FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

140853-00 2386-00

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 143053-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DONNA F DUPUIS
PO BOX 74
MELROSE, MT 59743 0074

RUSSEL D DUPUIS
PO BOX 74
MELROSE, MT 59743 0074

Priority Date: JULY 14, 1903

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		SW	NW	10	2S	9W	SILVER BOW

Diversion Means: HEADGATE

Ditch Name: SOUTH MCCAULEY DITCH

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2W2	23	2S	9W	SILVER BOW

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

143053-00 143054-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 143054-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DONNA F DUPUIS
PO BOX 74
MELROSE, MT 59743 0074

RUSSEL D DUPUIS
PO BOX 74
MELROSE, MT 59743 0074

Priority Date: JULY 14, 1903

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 4.77 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 126.00

***Source Name:** BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWSE	10	2S	9W	SILVER BOW

Diversion Means: DIVERSION DAM

Ditch Name: SOUTH MCCAULEY DITCH

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	126.00		W2W2	23	2S	9W	SILVER BOW
Total:	126.00						

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

143053-00 143054-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 4998-00, 143054-00.

THE SILVER BOW COUNTY WATER RESOURCES SURVEY (1955) APPEARS TO INDICATE 97.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 378-102 , DATED 09/07/1979 , APPEARS TO INDICATE 104.25 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 143247-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: RIEBER RANCH
PO BOX 320005
GLEN, MT 59732 0005

Priority Date: JUNE 1, 1894

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 224.40 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 52.00

Source Name: SPRING, UNNAMED TRIBUTARY OF ROCK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSE	33	3S	9W	BEAVERHEAD

Diversion Means: DITCH

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	6.00		S2SE	33	3S	9W	BEAVERHEAD
2	20.00		NESE	33	3S	9W	BEAVERHEAD
3	18.00		NWSE	33	3S	9W	BEAVERHEAD
4	8.00		N2NE	33	3S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	52.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

143247-00 143248-00 143249-00 143250-00 143251-00 180962-00 180963-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

143247-00 143253-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 879-30 , DATED 09/18/1979 , APPEARS TO INDICATE 34.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 3FF-99 , DATED 08/01/1965 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
 BIG HOLE RIVER
 BASIN 41D
 ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 143248-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: RIEBER RANCH
 PO BOX 320005
 GLEN, MT 59732 0005

Priority Date: JUNE 1, 1894

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 336.60 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 95.00

***Source Name:** SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWSW	33	3S	9W	BEAVERHEAD

Diversion Means: DITCH

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	75.00		SE	33	3S	9W	BEAVERHEAD
2	20.00		S2SW	33	3S	9W	BEAVERHEAD

Total: 95.00

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

143247-00 143248-00 143249-00 143250-00 143251-00 180962-00 180963-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

143248-00 143252-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 143249-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: RIEBER RANCH
PO BOX 320005
GLEN, MT 59732 0005

Priority Date: JUNE 1, 1894

***Type of Historical Right:** DECREEED

Purpose(use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 12.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 305.00

***Source Name:** ROCK CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	32	3S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		NWNWSW	33	3S	9W	BEAVERHEAD
	Diversion Means:	PUMP				
3		NENESE	32	3S	9W	BEAVERHEAD
	Diversion Means:	PUMP				
4		SENWSE	32	3S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				

Period of Use: APRIL 15 TO JULY 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	45.00		NW	33	3S	9W	BEAVERHEAD
2	130.00		SE	33	3S	9W	BEAVERHEAD
3	130.00		SW	33	3S	9W	BEAVERHEAD
Total:	305.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

143247-00 143248-00 143249-00 143250-00 143251-00 180962-00 180963-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 18.00 GPM PER ACRE.

USDA AERIAL PHOTOGRAPH NO(S). 879-30 , DATED 09/18/1979 , APPEARS TO INDICATE 267.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 3FF-99 , DATED 08/01/1965 , APPEARS TO INDICATE 228.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 143250-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: RIEBER RANCH
PO BOX 320005
GLEN, MT 59732 0005

Priority Date: JUNE 1, 1894

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER

Flow Rate: 1.08 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 305.00

***Source Name:** ROCK CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWN	33	3S	9W	BEAVERHEAD
Diversion Means:	PUMP					
2		NEN	32	3S	9W	BEAVERHEAD
Diversion Means:	HEADGATE					
3		NENE	32	3S	9W	BEAVERHEAD
Diversion Means:	PUMP					
4		SEN	32	3S	9W	BEAVERHEAD
Diversion Means:	HEADGATE					

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	45.00		NW	33	3S	9W	BEAVERHEAD
2	130.00		SE	33	3S	9W	BEAVERHEAD
3	130.00		SW	33	3S	9W	BEAVERHEAD
Total:	305.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

143247-00 143248-00 143249-00 143250-00 143251-00 180962-00 180963-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/12/1999: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 879-30 , DATED 09/18/1979 , APPEARS TO INDICATE 267.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 3FF-99 , DATED 08/01/1965 , APPEARS TO INDICATE 228.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE. IT APPEARS THE PRIORITY DATE SHOULD BE THE DATE THE SPRINKLER SYSTEM WAS FIRST PUT TO USE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 143251-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: RIEBER RANCH
PO BOX 320005
GLEN, MT 59732 0005

Priority Date: JUNE 1, 1894

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 1.00 CFS

Volume: 117.30 AC-FT

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 305.00

***Source Name:** ROCK CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	SE	34	3S	10W	BEAVERHEAD

Diversion Means: DAM

WATER RELEASED FROM BROWNES LAKE USES ROCK CREEK AS A NATURAL CARRIER TO CONVEY WATER TO THE PLACE OF USE.

Reservoir: ONSTREAM **Reservoir Name:** BROWNES LAKE

	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
		NWSESE	34	3S	10W	BEAVERHEAD
Dam Height:		12.00	FEET			
Surface Area:		40.00	ACRES			
Capacity:		268.10	ACRE-FEET			

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

Period of Use: JUNE 1 TO SEPTEMBER 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	45.00		NW	33	3S	9W	BEAVERHEAD
2	130.00		SE	33	3S	9W	BEAVERHEAD
3	130.00		SW	33	3S	9W	BEAVERHEAD
Total:	305.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

143247-00 143248-00 143249-00 143250-00 143251-00 180962-00 180963-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE PERIOD OF DIVERSION FROM THE SOURCE INTO STORAGE CANNOT BE IDENTIFIED.
 USDA AERIAL PHOTOGRAPH NO(S). 879-30 , DATED 09/18/1979 , APPEARS TO INDICATE 267.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
 AERIAL PHOTOGRAPH NO(S). CXM 3FF-99 , DATED 08/01/1965 , APPEARS TO INDICATE 228.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
 THE MAXIMUM STORAGE CAPACITY OF THIS RESERVOIR MAY BE QUESTIONABLE. ACCORDING TO DNRC ESTIMATES, THE MAXIMUM STORAGE CAPACITY IS 160 ACRE-FEET.
 ACCORDING TO INFORMATION IN THE CLAIM FILE, THE DAM WASHED OUT IN 1984.
 VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 143252-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: RIEBER RANCH
PO BOX 320005
GLEN, MT 59732 0005

Priority Date: JUNE 1, 1894

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWSW	33	3S	9W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		S2S2	33	2S	9W	BEAVERHEAD
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSWSW	33	3S	9W	BEAVERHEAD
2			S2S2	33	2S	9W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

143248-00 143252-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 143253-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: RIEBER RANCH
PO BOX 320005
GLEN, MT 59732 0005

Priority Date: JUNE 1, 1894

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF ROCK CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	33	33	3S	9W	BEAVERHEAD
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						
2		NW	33	33	3S	9W	BEAVERHEAD
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						
3		NE	33	33	3S	9W	BEAVERHEAD
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						
Period of Use:	JANUARY 1 TO DECEMBER 31						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1			SE	33	3S	9W	BEAVERHEAD	
2			NWNW	SE	33	3S	9W	BEAVERHEAD
3			NENE	SW	33	3S	9W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

143247-00 143253-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 143254-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: RIEBER RANCH
PO BOX 320005
GLEN, MT 59732 0005

Priority Date: DECEMBER 20, 1904

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: ROCK CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWSE	33	3S	9W	BEAVERHEAD

Diversion Means: DITCH

Period of Use: APRIL 15 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2	33	3S	9W	BEAVERHEAD

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON ROCK CREEK WITH A PRIORITY DATE PREDATING CASE NO. 2632 BEAVERHEAD COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 143255-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: RIEBER RANCH
PO BOX 320005
GLEN, MT 59732 0005

Priority Date: JUNE 1, 1894

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** ROCK CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		N2S2	33	3S	9W	BEAVERHEAD	

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			N2S2	33	3S	9W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 144909-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

BRAD FOSTER
398 N 4300 E
RIGBY, ID 83442 5543

BURTON L HOPEWELL
4400 LOWER RIVER RD
GREAT FALLS, MT 59401 8285

SHAROL FOSTER
398 N 4300 E
RIGBY, ID 83442 5543

Priority Date: MAY 1, 1880

Type of Historical Right: USE

Purpose(usage): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: ROCK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNENE	16	4S	16W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2			W2NE	16	4S	16W	BEAVERHEAD
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
3		S2S2NW	16	4S	16W	BEAVERHEAD
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
4		NWSW	16	4S	16W	BEAVERHEAD
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
5		E2SE	17	4S	16W	BEAVERHEAD
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
Period of Use: JANUARY 1 TO DECEMBER 31						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNENE	16	4S	16W	BEAVERHEAD
2			W2NE	16	4S	16W	BEAVERHEAD
3			S2S2NW	16	4S	16W	BEAVERHEAD
4			NWSW	16	4S	16W	BEAVERHEAD
5			E2SE	17	4S	16W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 144910-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

BRAD FOSTER
398 N 4300 E
RIGBY, ID 83442 5543

BURTON L HOPEWELL
4400 LOWER RIVER RD
GREAT FALLS, MT 59401 8285

SHAROL FOSTER
398 N 4300 E
RIGBY, ID 83442 5543

Priority Date: MAY 1, 1966

Type of Historical Right: USE

Purpose(usage): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF ROCK CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS BARKER DITCH SPRING

THE SOURCE IS WATER COLLECTED ALONG THE ENTIRE LENGTH OF THE BARKER DITCH WITHIN THE POINT OF DIVERSION LEGAL LAND DESCRIPTION.

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		E2E2NW	21	4S	16W	BEAVERHEAD
	Diversion Means: DRAIN DITCH					
2		E2NESW	21	4S	16W	BEAVERHEAD
	Diversion Means: DRAIN DITCH					
3		SESENE	20	4S	16W	BEAVERHEAD
	Diversion Means: DRAIN DITCH					
4		NESE	20	4S	16W	BEAVERHEAD
	Diversion Means: DRAIN DITCH					

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2	16	4S	16W	BEAVERHEAD
2			E2SENE	20	4S	16W	BEAVERHEAD
3			NESE	20	4S	16W	BEAVERHEAD
4			N2	21	4S	16W	BEAVERHEAD
5			NESW	21	4S	16W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

144910-00 144916-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO SUPPORT THIS CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 144911-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

BRAD FOSTER
398 N 4300 E
RIGBY, ID 83442 5543

BURTON L HOPEWELL
4400 LOWER RIVER RD
GREAT FALLS, MT 59401 8285

SHAROL FOSTER
398 N 4300 E
RIGBY, ID 83442 5543

***Priority Date:** MAY 1, 1966

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 340.00 GPM

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 20.00

Source Name: SPRING, UNNAMED TRIBUTARY OF DRY CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS SAGE BRUSH SPRING NO. 1

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNESE	20	4S	16W	BEAVERHEAD

Diversion Means: DITCH

Period of Use: MAY 1 TO DECEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	15.00		SENE	20	4S	16W	BEAVERHEAD
2	5.00		NWNESE	20	4S	16W	BEAVERHEAD
Total:	20.00						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/20/1999: SOURCE, POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
USDA AERIAL PHOTOGRAPH NO(S). 979-55 , DATED 09/19/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 144912-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

BRAD FOSTER
398 N 4300 E
RIGBY, ID 83442 5543

BURTON L HOPEWELL
4400 LOWER RIVER RD
GREAT FALLS, MT 59401 8285

SHAROL FOSTER
398 N 4300 E
RIGBY, ID 83442 5543

***Priority Date:** MAY 1, 1966

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.33 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 110.00

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG LAKE CREEK

Source Type: SURFACE WATER

SOURCE IS COMPOSED OF SEVERAL UNDEVELOPED SPRINGS WITHIN THE POINT OF DIVERSION LEGAL LAND DESCRIPTION.

ALSO KNOWN AS MOOSE MEADOW SPRING NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWNE	21	4S	16W	BEAVERHEAD
Diversion Means: DITCH						
2		W2NWSE	21	4S	16W	BEAVERHEAD
Diversion Means: DITCH						
Period of Use: MAY 1 TO DECEMBER 4						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	27.00		NENE	21	4S	16W	BEAVERHEAD
2	40.00		SENE	21	4S	16W	BEAVERHEAD
3	30.00		SWNE	21	4S	16W	BEAVERHEAD
4	13.00		NWSE	21	4S	16W	BEAVERHEAD
Total:	110.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

144912-00 144915-00

THE SOURCE NAME WAS AMENDED BY THE CLAIMANT ON 03/12/2007.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
 USDA AERIAL PHOTOGRAPH NO(S). 979-55 , DATED 09/19/1979 , APPEARS TO INDICATE 28.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 144913-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

BRAD FOSTER
398 N 4300 E
RIGBY, ID 83442 5543

BURTON L HOPEWELL
4400 LOWER RIVER RD
GREAT FALLS, MT 59401 8285

SHAROL FOSTER
398 N 4300 E
RIGBY, ID 83442 5543

Priority Date: NOVEMBER 30, 1900

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 337.00 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 55.00

Source Name: ROCK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSESE	17		4S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO DECEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	18.00		NWSW	16	4S	16W	BEAVERHEAD
2	15.00		SENE	17	4S	16W	BEAVERHEAD
3	22.00		NESE	17	4S	16W	BEAVERHEAD
Total:	55.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

144913-00 144914-00 144918-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/20/1999: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 10/31/1991.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-55 , DATED 09/19/1979 , APPEARS TO INDICATE 34.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 12P-44 , DATED 08/27/1955 , APPEARS TO INDICATE 34.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 144914-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

BRAD FOSTER
398 N 4300 E
RIGBY, ID 83442 5543

BURTON L HOPEWELL
4400 LOWER RIVER RD
GREAT FALLS, MT 59401 8285

SHAROL FOSTER
398 N 4300 E
RIGBY, ID 83442 5543

Priority Date: MAY 31, 1902

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 3.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 55.00

Source Name: ROCK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSESE	17		4S	16W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO DECEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	18.00		NWSW	16	4S	16W	BEAVERHEAD
2	15.00		SENE	17	4S	16W	BEAVERHEAD
3	22.00		NESE	17	4S	16W	BEAVERHEAD
Total:	55.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

144913-00 144914-00 144918-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/20/1999: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 10/31/1991.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 24.00 GPM PER ACRE.

USDA AERIAL PHOTOGRAPH NO(S). 979-55 , DATED 09/19/1979 , APPEARS TO INDICATE 34.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 17P-44 , DATED 08/27/1955 , APPEARS TO INDICATE 34.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 144915-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

BRAD FOSTER
398 N 4300 E
RIGBY, ID 83442 5543

BURTON L HOPEWELL
4400 LOWER RIVER RD
GREAT FALLS, MT 59401 8285

SHAROL FOSTER
398 N 4300 E
RIGBY, ID 83442 5543

***Priority Date:** MAY 1, 1966

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 1.17 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 31.00

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG LAKE CREEK

Source Type: SURFACE WATER

SOURCE IS COMPOSED OF SEVERAL UNDEVELOPED SPRINGS WITHIN THE POINT OF DIVERSION LEGAL LAND DESCRIPTION.

ALSO KNOWN AS ASPEN SPRING NO. 3

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWSE	21	4S	16W	BEAVERHEAD

Diversion Means: DITCH

Period of Use: MAY 1 TO DECEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	31.00		NWSE	21	4S	16W	BEAVERHEAD

Total: 31.00

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

144912-00 144915-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/20/1999: PLACE OF USE, MAXIMUM ACRES.

THE SOURCE NAME WAS AMENDED BY THE CLAIMANT ON 03/12/2007.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. USDA AERIAL PHOTOGRAPH NO(S). 979-55 , DATED 09/19/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 144916-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

BRAD FOSTER
398 N 4300 E
RIGBY, ID 83442 5543

BURTON L HOPEWELL
4400 LOWER RIVER RD
GREAT FALLS, MT 59401 8285

SHAROL FOSTER
398 N 4300 E
RIGBY, ID 83442 5543

***Priority Date:** MAY 1, 1966

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 3.03 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 80.00

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG LAKE CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS BARKER SPRINGS NO. 4

THE SOURCE IS WATER COLLECTED ALONG THE ENTIRE LENGTH OF THE BARKER DITCH WITHIN THE POINT OF DIVERSION LEGAL LAND DESCRIPTION.

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N2S2NW	21	4S	16W	BEAVERHEAD
	Diversion Means:	DITCH				
2		E2NESW	21	4S	16W	BEAVERHEAD
	Diversion Means:	DITCH				
3		SESENE	20	4S	16W	BEAVERHEAD
	Diversion Means:	DITCH				
4		NESE	20	4S	16W	BEAVERHEAD
	Diversion Means:	DITCH				
5		SESENW	21	4S	16W	BEAVERHEAD
	Diversion Means:	DITCH				
Period of Use:	MAY 1 TO DECEMBER 4					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		NESE	16	4S	16W	BEAVERHEAD
2	40.00		NWSE	16	4S	16W	BEAVERHEAD
Total:	80.00						

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

144910-00 144916-00

THE SOURCE NAME WAS AMENDED BY THE CLAIMANT ON 03/12/2007.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. USDA AERIAL PHOTOGRAPH NO(S). 979-55 , DATED 09/19/1979 , APPEARS TO INDICATE 53.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 144917-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

BRAD FOSTER
398 N 4300 E
RIGBY, ID 83442 5543

BURTON L HOPEWELL
4400 LOWER RIVER RD
GREAT FALLS, MT 59401 8285

SHAROL FOSTER
398 N 4300 E
RIGBY, ID 83442 5543

***Priority Date:** MAY 1, 1966

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 224.00 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 40.00

Source Name: SPRING, UNNAMED TRIBUTARY OF ROCK CREEK

Source Type: SURFACE WATER

SOURCE IS COMPOSED OF SEVERAL UNDEVELOPED SPRINGS WITHIN THE POINT OF DIVERSION LEGAL LAND DESCRIPTION.

ALSO KNOWN AS BEAVER POND SPRING NO. 5

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNW	21	4S	16W	BEAVERHEAD

Diversion Means: DITCH

Period of Use: MAY 1 TO DECEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		NESW	16	4S	16W	BEAVERHEAD

Total: 40.00

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. USDA AERIAL PHOTOGRAPH NO(S). 979-55 , DATED 09/19/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 144918-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

BRAD FOSTER
398 N 4300 E
RIGBY, ID 83442 5543

BURTON L HOPEWELL
4400 LOWER RIVER RD
GREAT FALLS, MT 59401 8285

SHAROL FOSTER
398 N 4300 E
RIGBY, ID 83442 5543

***Priority Date:** MAY 1, 1966

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 224.00 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 55.00

Source Name: SPRING, UNNAMED TRIBUTARY OF ROCK CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS GRIZZLY MEADOW SPRING NO. 6

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNESE	17	4S	16W	BEAVERHEAD

Diversion Means: DITCH

Period of Use: MAY 1 TO DECEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	18.00		NWSW	16	4S	16W	BEAVERHEAD
2	15.00		SENE	17	4S	16W	BEAVERHEAD
3	22.00		NESE	17	4S	16W	BEAVERHEAD
Total:	55.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

144913-00 144914-00 144918-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/20/1999: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-55 , DATED 09/17/1979 , APPEARS TO INDICATE 40.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 162331-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: **DISMISSED**

Owners: USA (DEPT OF INTERIOR NATIONAL PARK SERVICE)
BIG HOLE NATIONAL BATTLEFIELD
WISDOM, MT 59761

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): DOMESTIC

Flow Rate:

Volume:

Source Name: GROUNDWATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS DISMISSED PURSUANT TO ARTICLE VI(B)(1) OF THE UNITED STATES NATIONAL PARK SERVICE - MONTANA COMPACT.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 162332-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: **DISMISSED**

Owners: USA (DEPT OF INTERIOR NATIONAL PARK SERVICE)
BIG HOLE NATIONAL BATTLEFIELD
WISDOM, MT 59761

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): FISH AND WILDLIFE

Flow Rate:

Volume:

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER, NORTH FORK

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS DISMISSED PURSUANT TO ARTICLE VI(B)(1) OF THE UNITED STATES NATIONAL PARK SERVICE - MONTANA COMPACT.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 162333-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: **DISMISSED**

Owners: USA (DEPT OF INTERIOR NATIONAL PARK SERVICE)
BIG HOLE NATIONAL BATTLEFIELD
WISDOM, MT 59761

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): FISH AND WILDLIFE

Flow Rate:

Volume:

Source Name: BIG HOLE RIVER, NORTH FORK

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS DISMISSED PURSUANT TO ARTICLE VI(B)(1) OF THE UNITED STATES NATIONAL PARK SERVICE - MONTANA COMPACT.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 163890-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: EUGENE A ARDISSON
PO BOX 3
DIVIDE, MT 59727 0003

Priority Date: MARCH 9, 1961

Type of Historical Right: USE

***Purpose(use):** INSTITUTIONAL

Purpose Clarification: HIGHWAY MAINTENANCE SHOP

Flow Rate: 50.00 GPM

Volume: 19.00 AC-FT

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNESE	18	1S	9W	SILVER BOW

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENESE	18	1S	9W	SILVER BOW

Remarks:

THE VOLUME WAS AMENDED BY THE CLAIMANT ON 02/18/1994.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE CLAIMED PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 163891-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MONTANA, STATE OF DEPT OF TRANSPORTATION
MAINTENANCE DIVISION
PO BOX 201001
HELENA, MT 59620 1001

Priority Date: DECEMBER 26, 1963

Type of Historical Right: FILED

***Purpose(use):** INSTITUTIONAL
Purpose Clarification: HIGHWAY MAINTENANCE SHOP

Flow Rate: 12.00 GPM

Volume: 7.00 AC-FT

Source Name: GROUNDWATER
Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWN	SW	34	2S	15W	BEAVERHEAD

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWN	SW	34	2S	15W BEAVERHEAD

Remarks:

THE VOLUME WAS AMENDED BY THE CLAIMANT ON 02/18/1994.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

VOLUME MAY BE EXCESSIVE. BASED ON THE FLOW RATE AND PERIOD OF USE, THE SYSTEM WOULD HAVE TO RUN 8.6 HOURS PER DAY TO DELIVER THE CLAIMED VOLUME. NO INFORMATION EXISTS IN THE CLAIM FILE TO CONFIRM THIS FIGURE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164055-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: DECEMBER 10, 1921

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF LANCEY CREEK

Source Type: SURFACE WATER

SOURCE IS COMPOSED OF TWO UNDEVELOPED SPRINGS WITHIN THE POINT OF DIVERSION LEGAL LAND DESCRIPTION.

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWNE	26	6S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENWNE	26	6S	14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164056-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JUNE 1, 1888

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 4.68 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 4,270.00

Source Name: GOVERNOR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		NESWNW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		SENESEW	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		SWNWSE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 11				
5		NENENE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 10				
6		SESWNW	8	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
7		SWSENE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	GIST DITCH NO. 8				
8		NENESE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN JACKSON DITCH				
9		SENESE	19	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
10		NESWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
11		NWSWNE	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
12		SWNWSW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
13		SESESW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
14		NENENW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
15		SENWSW	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
16		SWSWNE	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
17		NWNWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	DAVIS DITCH				
Period of Use:	MAY 1 TO OCTOBER 19					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	35.00		SW	5	6S	14W	BEAVERHEAD
2	51.00		E2SE	6	6S	14W	BEAVERHEAD
3	147.00		E2E2	7	6S	14W	BEAVERHEAD
4	517.00			8	6S	14W	BEAVERHEAD
5	630.00			17	6S	14W	BEAVERHEAD
6	149.00			18	6S	14W	BEAVERHEAD
7	219.00		E2	19	6S	14W	BEAVERHEAD
8	640.00			20	6S	14W	BEAVERHEAD
9	463.00			21	6S	14W	BEAVERHEAD
10	124.00		N2	28	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
11	268.00		N2	29	6S	14W	BEAVERHEAD
12	88.00		NE	30	6S	14W	BEAVERHEAD
13	106.00		S2	5	7S	14W	BEAVERHEAD
14	18.00		E2SE	6	7S	14W	BEAVERHEAD
15	106.00			7	7S	14W	BEAVERHEAD
16	127.00		W2	8	7S	14W	BEAVERHEAD
17	114.00		W2	17	7S	14W	BEAVERHEAD
18	308.00			18	7S	14W	BEAVERHEAD
19	156.00		N2	19	7S	14W	BEAVERHEAD
20	4.00		NWNWNW	20	7S	14W	BEAVERHEAD
Total:	4,270.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164056-00	164077-00	164078-00	164079-00	164080-00	164081-00	164082-00
164083-00	164084-00	164085-00	164086-00	164087-00	164088-00	164089-00
164090-00	164091-00	164092-00	164093-00	164094-00	164095-00	164096-00
164097-00	164098-00	164127-00				

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

164056-00 164144-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 09/09/1991.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-16, 979-18, AND 979-20 , DATED 09/19/1979 , APPEARS TO INDICATE 3614.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-12, CXM 5FF-14, CXM 5FF-15, CXM 8FF-63, CXM 13P-98, CXM 7B-78, CXM 7B-77 , DATED 08/17/1965, 08/09/1955, 08/14/1942 , APPEARS TO INDICATE 3651.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164057-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: SEPTEMBER 26, 1918

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 1,059.00

Source Name: UNNAMED TRIBUTARY OF FOX CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS BEAR BUTTE CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SE	SE	36	6S 14W	BEAVERHEAD
	Diversion Means:	HEADGATE					
2		SE	NE	NW	1	7S 14W	BEAVERHEAD
	Diversion Means:	HEADGATE					
3		SE	NW	NE	1	7S 14W	BEAVERHEAD
	Diversion Means:	HEADGATE					
Period of Use:	MAY 1 TO OCTOBER 19						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	24.00		S2S2	26	6S	14W	BEAVERHEAD
2	55.00		S2	34	6S	14W	BEAVERHEAD
3	127.00		NE	35	6S	14W	BEAVERHEAD
4	160.00		SE	35	6S	14W	BEAVERHEAD
5	33.00		SW	35	6S	14W	BEAVERHEAD
6	120.00			36	6S	14W	BEAVERHEAD
7	216.00			1	7S	14W	BEAVERHEAD
8	160.00		NE	2	7S	14W	BEAVERHEAD
9	104.00		NW	2	7S	14W	BEAVERHEAD
10	55.00		SE	2	7S	14W	BEAVERHEAD
11	3.00		NENESW	2	7S	14W	BEAVERHEAD
12	2.00		NENENE	3	7S	14W	BEAVERHEAD
Total:	1,059.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164057-00 164058-00 164065-00 164066-00 164075-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 164057-00, 215363-00.

USDA AERIAL PHOTOGRAPH NO(S). 879-247 , DATED 09/18/1979 , APPEARS TO INDICATE 620.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 8FF-49 AND CXM 7B-147 , DATED 08/17/1965 AND 08/15/1942 , APPEARS TO INDICATE 553.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164058-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: AUGUST 17, 1914

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 16.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 1,059.00

Source Name: UNNAMED TRIBUTARY OF FOX CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS BEAR BUTTE CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SE	SE	36	6S 14W	BEAVERHEAD
	Diversion Means:	HEADGATE					
2		SE	NE	NW	1	7S 14W	BEAVERHEAD
	Diversion Means:	HEADGATE					
3		SE	NW	NE	1	7S 14W	BEAVERHEAD
	Diversion Means:	HEADGATE					
Period of Use:	MAY 1 TO OCTOBER 19						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	24.00		S2S2	26	6S	14W	BEAVERHEAD
2	55.00		S2	34	6S	14W	BEAVERHEAD
3	127.00		NE	35	6S	14W	BEAVERHEAD
4	160.00		SE	35	6S	14W	BEAVERHEAD
5	33.00		SW	35	6S	14W	BEAVERHEAD
6	120.00			36	6S	14W	BEAVERHEAD
7	216.00			1	7S	14W	BEAVERHEAD
8	160.00		NE	2	7S	14W	BEAVERHEAD
9	104.00		NW	2	7S	14W	BEAVERHEAD
10	55.00		SE	2	7S	14W	BEAVERHEAD
11	3.00		NENESW	2	7S	14W	BEAVERHEAD
12	2.00		NENENE	3	7S	14W	BEAVERHEAD
Total:	1,059.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164057-00 164058-00 164065-00 164066-00 164075-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/03/1999: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 164058-00, 215363-00.

USDA AERIAL PHOTOGRAPH NO(S). 879-247 , DATED 09/18/1979 , APPEARS TO INDICATE 620.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 8FF-49, CXM 7B-147 , DATED 08/17/1965, 08/15/1942 , APPEARS TO INDICATE 553.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164059-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JUNE 12, 1928

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF GOVERNOR CREEK

Source Type: SURFACE WATER

SOURCE IS COMPOSED OF NUMEROUS UNDEVELOPED SPRINGS WITHIN THE POINT OF DIVERSION LEGAL LAND DESCRIPTION.

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		E2NW	7	7S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2NW	7	7S	14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164060-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: APRIL 17, 1931

Type of Historical Right: USE

Purpose(usage): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF NELLIES GULCH

Source Type: SURFACE WATER

THE SOURCE CONSISTS OF THREE SPRINGS.

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWN	WNE	22	7S 14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		SWS	WNE	22	7S 14W	BEAVERHEAD
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

3		SWS	ENE	22	7S 14W	BEAVERHEAD
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNE	22	7S	14W	BEAVERHEAD
2		SWSWNE	22	7S	14W	BEAVERHEAD
3		SWSENE	22	7S	14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164061-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JULY 30, 1915

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 2.46 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 65.00

***Source Name:** COW CABIN CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SW	NENE	25	6S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	65.00		S2	26	6S	14W	BEAVERHEAD
Total:	65.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164061-00 164062-00 164063-00 164072-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. USDA AERIAL PHOTOGRAPH NO(S). 879-247 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM 8FF-49 , DATED 08/17/1965 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE COMBINED CLAIMED FLOW RATE FOR THIS GROUP OF SUPPLEMENTAL RIGHTS IS 60.62 GPM PER ACRE. THE FLOW RATE GUIDELINE FOR INDIVIDUAL CLAIMS IS 17 GPM PER ACRE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164062-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: SEPTEMBER 5, 1916

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 2.46 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 65.00

Source Name: LANCEY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SW	26	6S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	65.00		S	26	6S	14W	BEAVERHEAD
Total:	65.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164061-00 164062-00 164063-00 164072-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. USDA AERIAL PHOTOGRAPH NO(S). 879-247 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM 8FF-42 , DATED 08/17/1965 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE POINT OF DIVERSION AND SOURCE MAY BE QUESTIONABLE. DOCUMENTATION IN THE FILE REFERS TO QUICK CREEK. THE CREEK RISES FROM SPRINGS IN TWP 06S RGE 14W SEC 36 N2 AND FLOWS IN A NW DIRECTION ON TO SEC 26.

THE COMBINED CLAIMED FLOW RATE FOR THIS GROUP OF SUPPLEMENTAL RIGHTS IS 60.62 GPM PER ACRE. THE FLOW RATE GUIDELINE FOR INDIVIDUAL CLAIMS IS 17 GPM PER ACRE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164063-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: MAY 25, 1910

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.40 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 65.00

Source Name: LANCEY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWSE	26	6S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	65.00		S2	26	6S	14W	BEAVERHEAD

Total: 65.00

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164061-00 164062-00 164063-00 164072-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

164063-00 164150-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 879-247 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM 8FF-49 , DATED 08/17/1965 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE COMBINED CLAIMED FLOW RATE FOR THIS GROUP OF SUPPLEMENTAL RIGHTS IS 60.62 GPM PER ACRE. THE FLOW RATE GUIDELINE FOR INDIVIDUAL CLAIMS IS 17 GPM PER ACRE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164064-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JUNE 7, 1920

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 4.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 1,107.00

Source Name: SAGE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWNW	15	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: INABNIT-PETERSON DITCH

Period of Use: MAY 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00		SESE	31	6S	14W	BEAVERHEAD
2	83.00		S2S2	32	6S	14W	BEAVERHEAD
3	2.00		SWSW	3	7S	14W	BEAVERHEAD
4	196.00			4	7S	14W	BEAVERHEAD
5	324.00			5	7S	14W	BEAVERHEAD
6	417.00			9	7S	14W	BEAVERHEAD
7	23.00		W2W2	10	7S	14W	BEAVERHEAD
8	3.00		SWNW	15	7S	14W	BEAVERHEAD
9	39.00		NE	16	7S	14W	BEAVERHEAD
Total:	1,107.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164064-00 164067-00 164068-00 164069-00 164100-00 164122-00 164123-00
 164125-00

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME PLACE OF USE.

104228-00 164064-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: PLACE OF USE, MAXIMUM ACRES.

AUTHORIZATION TO CHANGE POINT OF DIVERSION, PLACE OF USE, PURPOSE COMPLETED 12/08/2000. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE UPDATED IN THE CENTRALIZED RECORDS SYSTEM AFTER FINAL DECREE. SEE AUTHORIZATION TO CHANGE NO. 164064-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 164064-00, 215371-00, 215372-00.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-17 AND CXM 7B-84 , DATED 08/01/1965 AND 08/15/1942 , APPEARS TO INDICATE 1020.60 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164065-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: AUGUST 8, 1919

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 1,059.00

Source Name: UNNAMED TRIBUTARY OF FOX CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS BEAR BUTTE CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESESE	36	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		SENENW	1	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		SENWNE	1	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
Period of Use:	MAY 1 TO OCTOBER 19					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	24.00		S2S2	26	6S	14W	BEAVERHEAD
2	55.00		S2	34	6S	14W	BEAVERHEAD
3	127.00		NE	35	6S	14W	BEAVERHEAD
4	160.00		SE	35	6S	14W	BEAVERHEAD
5	33.00		SW	35	6S	14W	BEAVERHEAD
6	120.00			36	6S	14W	BEAVERHEAD
7	216.00			1	7S	14W	BEAVERHEAD
8	160.00		NE	2	7S	14W	BEAVERHEAD
9	104.00		NW	2	7S	14W	BEAVERHEAD
10	55.00		SE	2	7S	14W	BEAVERHEAD
11	3.00		NENESW	2	7S	14W	BEAVERHEAD
12	2.00		NENENE	3	7S	14W	BEAVERHEAD
Total:	1,059.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164057-00 164058-00 164065-00 164066-00 164075-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 164065-00, 215363-00.

USDA AERIAL PHOTOGRAPH NO(S). 879-247 , DATED 09/18/1979 , APPEARS TO INDICATE 620.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 8FF-49, CXM 7B-147 , DATED 08/17/1965, 08/15/1942 , APPEARS TO INDICATE 553.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164066-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: MAY 13, 1915

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 4.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 1,059.00

Source Name: UNNAMED TRIBUTARY OF FOX CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS BEAR BUTTE CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SE	36	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE					
2		SE	NE	1	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE					
3		SE	NE	1	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE					
Period of Use:	MAY 1 TO OCTOBER 19						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	24.00		S2S2	26	6S	14W	BEAVERHEAD
2	55.00		S2	34	6S	14W	BEAVERHEAD
3	127.00		NE	35	6S	14W	BEAVERHEAD
4	160.00		SE	35	6S	14W	BEAVERHEAD
5	33.00		SW	35	6S	14W	BEAVERHEAD
6	120.00			36	6S	14W	BEAVERHEAD
7	216.00			1	7S	14W	BEAVERHEAD
8	160.00		NE	2	7S	14W	BEAVERHEAD
9	104.00		NW	2	7S	14W	BEAVERHEAD
10	55.00		SE	2	7S	14W	BEAVERHEAD
11	3.00		NENESW	2	7S	14W	BEAVERHEAD
12	2.00		NENENE	3	7S	14W	BEAVERHEAD
Total:	1,059.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164057-00 164058-00 164065-00 164066-00 164075-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 164066-00, 215363-00.

USDA AERIAL PHOTOGRAPH NO(S). 879-247 , DATED 09/18/1979 , APPEARS TO INDICATE 620.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 8FF-49, CXM 7B-147 , DATED 08/17/1965, 08/15/1942 , APPEARS TO INDICATE 553.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164067-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JUNE 1, 1895

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 4.30 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 1,931.00

Source Name: ANDRUS CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWNE	21	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: INABNIT-PETERSON DITCH

2		NWSESW	22	7S	14W	BEAVERHEAD
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Diversion Means: DIVERSION DAM

Period of Use: MAY 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00		SESE	31	6S	14W	BEAVERHEAD
2	83.00		S2S2	32	6S	14W	BEAVERHEAD
3	2.00		SWSWSW	3	7S	14W	BEAVERHEAD
4	196.00			4	7S	14W	BEAVERHEAD
5	324.00			5	7S	14W	BEAVERHEAD
6	29.00		E2NE	6	7S	14W	BEAVERHEAD
7	102.00			8	7S	14W	BEAVERHEAD
8	417.00			9	7S	14W	BEAVERHEAD
9	23.00		W2W2W2	10	7S	14W	BEAVERHEAD
10	5.00		SWNW	15	7S	14W	BEAVERHEAD
11	325.00			16	7S	14W	BEAVERHEAD
12	118.00		E2	17	7S	14W	BEAVERHEAD
13	19.00		NENE	20	7S	14W	BEAVERHEAD
14	243.00			21	7S	14W	BEAVERHEAD
15	25.00		SW	22	7S	14W	BEAVERHEAD
Total:	1,931.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164064-00 164067-00 164068-00 164069-00 164100-00 164122-00 164123-00
 164125-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

164067-00 164142-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 164067-00, 215371-00, 215372-00.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-17, CXM 7B-77, CXM 7B-78, CXM 7B-84, CXM 7B-85, , DATED 08/14/1965, 08/14/1942, AND 08/15/1942 , APPEARS TO INDICATE 1786.10 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164068-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JUNE 15, 1895

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 1,931.00

Source Name: ANDRUS CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWNE	21	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: INABNIT-PETERSON DITCH

2		NWSESW	22	7S	14W	BEAVERHEAD
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Diversion Means: DIVERSION DAM

Period of Use: MAY 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00		SESE	31	6S	14W	BEAVERHEAD
2	83.00		S2S2	32	6S	14W	BEAVERHEAD
3	2.00		SWSWSW	3	7S	14W	BEAVERHEAD
4	196.00			4	7S	14W	BEAVERHEAD
5	324.00			5	7S	14W	BEAVERHEAD
6	29.00		E2NE	6	7S	14W	BEAVERHEAD
7	102.00			8	7S	14W	BEAVERHEAD
8	417.00			9	7S	14W	BEAVERHEAD
9	23.00		W2W2W2	10	7S	14W	BEAVERHEAD
10	5.00		SWNW	15	7S	14W	BEAVERHEAD
11	325.00			16	7S	14W	BEAVERHEAD
12	118.00		E2	17	7S	14W	BEAVERHEAD
13	19.00		NENE	20	7S	14W	BEAVERHEAD
14	243.00			21	7S	14W	BEAVERHEAD
15	25.00		SW	22	7S	14W	BEAVERHEAD
Total:	1,931.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164064-00 164067-00 164068-00 164069-00 164100-00 164122-00 164123-00
 164125-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 164067-00, 215371-00, 215372-00.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-17, CXM 7B-77, CXM 7B-78, CXM 7B-84, AND CXM 7B-85 , DATED 08/14/1965, 08/14/1942, AND 08/15/1942 , APPEARS TO INDICATE 1786.10 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164069-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: SEPTEMBER 12, 1910

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 17.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 1,931.00

Source Name: ANDRUS CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWNE	21	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: INABNIT-PETERSON DITCH

2		NWSESW	22	7S	14W	BEAVERHEAD
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Diversion Means: DIVERSION DAM

Period of Use: MAY 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00		SESE	31	6S	14W	BEAVERHEAD
2	83.00		S2S2	32	6S	14W	BEAVERHEAD
3	2.00		SWSWSW	3	7S	14W	BEAVERHEAD
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10	5.00		SWNW	15	7S	14W	BEAVERHEAD
11	325.00			16	7S	14W	BEAVERHEAD
12	118.00		E2	17	7S	14W	BEAVERHEAD
13	19.00		NENE	20	7S	14W	BEAVERHEAD
14	243.00			21	7S	14W	BEAVERHEAD
15	25.00		SW	22	7S	14W	BEAVERHEAD
Total:	1,931.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164064-00 164067-00 164068-00 164069-00 164100-00 164122-00 164123-00
 164125-00

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AERIAL PHOTOGRAPH NO(S). CXM 5FF-17, CXM 7B-77, CXM 7B-78, CXM 7B-84, AND CXM 7B-85 , DATED 08/14/1965, 08/14/1942, AND 08/15/1942 , APPEARS TO INDICATE 1786.10 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164070-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: AUGUST 30, 1899

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SHORT CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SW	SE	21	7S 14W	BEAVERHEAD
	Diversion Means:	HEADGATE					
2		W	2		21	7S 14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3		SW	SE		21	7S 14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
4		N	E		20	7S 14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5		SE	17	7S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2	21	7S	14W	BEAVERHEAD
2			SWSE	21	7S	14W	BEAVERHEAD
3			NENE	20	7S	14W	BEAVERHEAD
4			SE	17	7S	14W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

164070-00 164071-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164071-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: AUGUST 30, 1899

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 173.00

Source Name: SHORT CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWSE	21	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	47.00		SE	17	7S	14W	BEAVERHEAD
2	32.00		NE	20	7S	14W	BEAVERHEAD
3	20.00		SWNW	21	7S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	11.00		SESE	21	7S	14W	BEAVERHEAD
5	63.00		SW	21	7S	14W	BEAVERHEAD
Total:	173.00						

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

164070-00 164071-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164072-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JULY 30, 1915

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 2.46 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 65.00

***Source Name:** COW CABIN CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SW	NENE	25	6S	14W	BEAVERHEAD

Diversion Means: HEADGATE

***Period of Use:** MAY 1 TO OCTOBER 19

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	65.00		S2	26	6S	14W	BEAVERHEAD
Total:	65.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164061-00 164062-00 164063-00 164072-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. USDA AERIAL PHOTOGRAPH NO(S). 879-247 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM 8FF-49 , DATED 08/17/1965 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE COMBINED CLAIMED FLOW RATE FOR THIS GROUP OF SUPPLEMENTAL RIGHTS IS 60.62 GPM PER ACRE. THE FLOW RATE GUIDELINE FOR INDIVIDUAL CLAIMS IS 17 GPM PER ACRE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59711-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164073-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: MAY 25, 1910

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.88 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 129.00

Source Name: COW CABIN CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNE	23	6S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	36.00		NE	22	6S	14W	BEAVERHEAD
2	5.00		NWNE	23	6S	14W	BEAVERHEAD
3	88.00		NW	23	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	129.00						

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

164073-00 164146-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 879-249 , DATED 09/18/1979 , APPEARS TO INDICATE 158.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 8FF-48 , DATED 08/17/1965 , APPEARS TO INDICATE 152.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164074-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: MAY 16, 1910

Type of Historical Right: DECREED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 6.25 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 19.00

Source Name: BULL CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSW	1	6S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	19.00		N2N2	22	6S	14W	BEAVERHEAD

Total: 19.00

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

164074-00 164145-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 240 MINER'S INCHES DECREED IN CASE NO. 1514 , BEAVERHEAD COUNTY. 164074-00, 164145-00.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 148.00 GPM PER ACRE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164075-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: DECEMBER 13, 1915

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 10.50 CFS

CASE 2429, BEAVERHEAD COUNTY, DECREED 320 INCHES DISTRIBUTED AS FOLLOWS: WELBORN DITCH NO. 1 140" WELBORN DITCH NO. 2 160" WELBORN DITCH NO. 3 120"

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 1,059.00

Source Name: UNNAMED TRIBUTARY OF FOX CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS BEAR BUTTE CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SESE	36	6S 14W	BEAVERHEAD

Diversion Means: HEADGATE

2		SE	ENENW	1	7S 14W	BEAVERHEAD
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Diversion Means: HEADGATE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
3		SENWNE	1	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	24.00		S2S2	26	6S	14W	BEAVERHEAD
2	55.00		S2	34	6S	14W	BEAVERHEAD
3	127.00		NE	35	6S	14W	BEAVERHEAD
4	160.00		SE	35	6S	14W	BEAVERHEAD
5	33.00		SW	35	6S	14W	BEAVERHEAD
6	120.00			36	6S	14W	BEAVERHEAD
7	216.00			1	7S	14W	BEAVERHEAD
8	160.00		NE	2	7S	14W	BEAVERHEAD
9	104.00		NW	2	7S	14W	BEAVERHEAD
10	55.00		SE	2	7S	14W	BEAVERHEAD
11	3.00		NENESW	2	7S	14W	BEAVERHEAD
12	2.00		NENENE	3	7S	14W	BEAVERHEAD

Total: 1,059.00

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164057-00 164058-00 164065-00 164066-00 164075-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE EXCEEDS THE 320 MINERS INCHES OF UNNAMED TRIBUTARY OF FOX CREEK DECREED IN CASE NO. 2429 , BEAVERHEAD COUNTY.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 164075-00, 215363-00.

USDA AERIAL PHOTOGRAPH NO(S). 879-247 , DATED 09/18/1979 , APPEARS TO INDICATE 620.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 8FF-49, CXM 7B-147 , DATED 08/17/1965, 08/15/1942 , APPEARS TO INDICATE 553.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE CLAIMED PLACE OF USE AND ACRES IRRIGATED MAY BE QUESTIONABLE DUE TO AN EXPANSION OF HISTORIC ACRES. REVIEW OF DECREE NO. 2429, BEAVERHEAD COUNTY, STATES 320 STATUTORY INCHES TO IRRIGATE 253.80 ACRES.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164076-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JUNE 15, 1914

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 3.25 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 171.00

Source Name: UNNAMED TRIBUTARY OF GOVERNOR CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSE	13	7S	15W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	11.00		S2S2	7	7S	14W	BEAVERHEAD
2	160.00			18	7S	14W	BEAVERHEAD

Total: 171.00

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/09/1991: MAXIMUM ACRES, PLACE OF USE, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 979-20 , DATED 09/19/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM 7B-77 , DATED 08/14/1942 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164077-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JUNE 1, 1908

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.63 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 4,270.00

Source Name: GOVERNOR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		NESWNW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		SENESEW	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		SWNWSE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 11				
5		NENENE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 10				
6		SESWNW	8	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
7		SWSENE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	GIST DITCH NO. 8				
8		NENESE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN JACKSON DITCH				
9		SENESE	19	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
10		NESWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
11		NWSWNE	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
12		SWNWSW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
13		SESESW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
14		NENENW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
15		SENWSW	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
16		SWSWNE	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
17		NWNWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	DAVIS DITCH				
Period of Use:	MAY 1 TO OCTOBER 9					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	35.00		SW	5	6S	14W	BEAVERHEAD
2	51.00		E2SE	6	6S	14W	BEAVERHEAD
3	147.00		E2E2	7	6S	14W	BEAVERHEAD
4	517.00			8	6S	14W	BEAVERHEAD
5	630.00			17	6S	14W	BEAVERHEAD
6	149.00			18	6S	14W	BEAVERHEAD
7	219.00		E2	19	6S	14W	BEAVERHEAD
8	640.00			20	6S	14W	BEAVERHEAD
9	463.00			21	6S	14W	BEAVERHEAD
10	124.00		N2	28	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
11	268.00		N2	29	6S	14W	BEAVERHEAD
12	88.00		NE	30	6S	14W	BEAVERHEAD
13	106.00		S2	5	7S	14W	BEAVERHEAD
14	18.00		E2SE	6	7S	14W	BEAVERHEAD
15	106.00			7	7S	14W	BEAVERHEAD
16	127.00		W2	8	7S	14W	BEAVERHEAD
17	114.00		W2	17	7S	14W	BEAVERHEAD
18	308.00			18	7S	14W	BEAVERHEAD
19	156.00		N2	19	7S	14W	BEAVERHEAD
20	4.00		NWNWNW	20	7S	14W	BEAVERHEAD
Total:	4,270.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

- 164056-00 164077-00 164078-00 164079-00 164080-00 164081-00 164082-00
- 164083-00 164084-00 164085-00 164086-00 164087-00 164088-00 164089-00
- 164090-00 164091-00 164092-00 164093-00 164094-00 164095-00 164096-00
- 164097-00 164098-00 164127-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/09/1991: MAXIMUM ACRES, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 164057-00, 164058-00, 164065-00, 164066-00, 164077-00, 215363-00.

USDA AERIAL PHOTOGRAPH NO(S). 979-16, 979-18, 979-20 , DATED 09/19/1979 , APPEARS TO INDICATE 3614.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-12, CXM 5FF-14, CXM 5FF-15, CXM 8FF-63, CXM 13P-98, CXM 7B-78, CXM 7B-77 , DATED 08/17/1965, 08/09/1955, 08/14/1942 , APPEARS TO INDICATE 3651.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164078-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JUNE 1, 1888

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.38 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 4,270.00

Source Name: GOVERNOR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		NESWNW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		SENESEW	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		SWNWSE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 11				
5		NENENE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 10				
6		SESWNW	8	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
7		SWSENE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	GIST DITCH NO. 8				
8		NENESE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN JACKSON DITCH				
9		SENESE	19	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
10		NESWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
11		NWSWNE	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
12		SWNWSW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
13		SESESW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
14		NENENW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
15		SENWSW	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
16		SWSWNE	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
17		NWNWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	DAVIS DITCH				
Period of Use:	MAY 1 TO OCTOBER 9					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	35.00		SW	5	6S	14W	BEAVERHEAD
2	51.00		E2SE	6	6S	14W	BEAVERHEAD
3	147.00		E2E2	7	6S	14W	BEAVERHEAD
4	517.00			8	6S	14W	BEAVERHEAD
5	630.00			17	6S	14W	BEAVERHEAD
6	149.00			18	6S	14W	BEAVERHEAD
7	219.00		E2	19	6S	14W	BEAVERHEAD
8	640.00			20	6S	14W	BEAVERHEAD
9	463.00			21	6S	14W	BEAVERHEAD
10	124.00		N2	28	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
11	268.00		N2	29	6S	14W	BEAVERHEAD
12	88.00		NE	30	6S	14W	BEAVERHEAD
13	106.00		S2	5	7S	14W	BEAVERHEAD
14	18.00		E2SE	6	7S	14W	BEAVERHEAD
15	106.00			7	7S	14W	BEAVERHEAD
16	127.00		W2	8	7S	14W	BEAVERHEAD
17	114.00		W2	17	7S	14W	BEAVERHEAD
18	308.00			18	7S	14W	BEAVERHEAD
19	156.00		N2	19	7S	14W	BEAVERHEAD
20	4.00		NWNWNW	20	7S	14W	BEAVERHEAD
Total:	4,270.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164056-00	164077-00	164078-00	164079-00	164080-00	164081-00	164082-00
164083-00	164084-00	164085-00	164086-00	164087-00	164088-00	164089-00
164090-00	164091-00	164092-00	164093-00	164094-00	164095-00	164096-00
164097-00	164098-00	164127-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/09/1991: MAXIMUM ACRES, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-16, 979-18, 979-20 , DATED 09/19/1979 , APPEARS TO INDICATE 3614.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164079-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: SEPTEMBER 1, 1888

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 6.68 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 4,270.00

Source Name: GOVERNOR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		NESWNW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		SENESEW	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		SWNWSE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 11				
5		NENENE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 10				
6		SESWNW	8	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
7		SWSENE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	GIST DITCH NO. 8				
8		NENESE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN JACKSON DITCH				
9		SENESE	19	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
10		NESWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
11		NWSWNE	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
12		SWNWSW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
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	Diversion Means:	HEADGATE				
14		NENENW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
15		SENWSW	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
16		SWSWNE	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
17		NWNWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	DAVIS DITCH				
Period of Use:	MAY 1 TO OCTOBER 9					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	35.00		SW	5	6S	14W	BEAVERHEAD
2	51.00		E2SE	6	6S	14W	BEAVERHEAD
3	147.00		E2E2	7	6S	14W	BEAVERHEAD
4	517.00			8	6S	14W	BEAVERHEAD
5	630.00			17	6S	14W	BEAVERHEAD
6	149.00			18	6S	14W	BEAVERHEAD
7	219.00		E2	19	6S	14W	BEAVERHEAD
8	640.00			20	6S	14W	BEAVERHEAD
9	463.00			21	6S	14W	BEAVERHEAD
10	124.00		N2	28	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
11	268.00		N2	29	6S	14W	BEAVERHEAD
12	88.00		NE	30	6S	14W	BEAVERHEAD
13	106.00		S2	5	7S	14W	BEAVERHEAD
14	18.00		E2SE	6	7S	14W	BEAVERHEAD
15	106.00			7	7S	14W	BEAVERHEAD
16	127.00		W2	8	7S	14W	BEAVERHEAD
17	114.00		W2	17	7S	14W	BEAVERHEAD
18	308.00			18	7S	14W	BEAVERHEAD
19	156.00		N2	19	7S	14W	BEAVERHEAD
20	4.00		NWNWNW	20	7S	14W	BEAVERHEAD
Total:	4,270.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164056-00	164077-00	164078-00	164079-00	164080-00	164081-00	164082-00
164083-00	164084-00	164085-00	164086-00	164087-00	164088-00	164089-00
164090-00	164091-00	164092-00	164093-00	164094-00	164095-00	164096-00
164097-00	164098-00	164127-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/09/1991: MAXIMUM ACRES, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

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USDA AERIAL PHOTOGRAPH NO(S). 979-16, 979-18, 979-20 , DATED 09/19/1979 , APPEARS TO INDICATE 3614.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-12, CXM 5FF-14, CXM 5FF-15, CXM 8FF-63, CXM 13P-98, CXM 7B-78, CXM 7B-77 , DATED 08/17/1965, 08/09/1955, 08/14/1942 , APPEARS TO INDICATE 3651.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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Water Right Number: 41D 164080-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JUNE 2, 1889

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.25 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 4,270.00

Source Name: GOVERNOR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		NESWNW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		SENESEW	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		SWNWSE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 11				
5		NENENE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 10				
6		SESWNW	8	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
7		SWSENE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	GIST DITCH NO. 8				
8		NENESE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN JACKSON DITCH				
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	Diversion Means:	HEADGATE				
17		NWNWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	DAVIS DITCH				
Period of Use:	MAY 1 TO OCTOBER 9					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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16	127.00		W2	8	7S	14W	BEAVERHEAD
17	114.00		W2	17	7S	14W	BEAVERHEAD
18	308.00			18	7S	14W	BEAVERHEAD
19	156.00		N2	19	7S	14W	BEAVERHEAD
20	4.00		NWNWNW	20	7S	14W	BEAVERHEAD
Total:	4,270.00						

Remarks:

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164056-00	164077-00	164078-00	164079-00	164080-00	164081-00	164082-00
164083-00	164084-00	164085-00	164086-00	164087-00	164088-00	164089-00
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164097-00	164098-00	164127-00				

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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164081-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: MAY 20, 1889

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 21.95 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 4,270.00

Source Name: GOVERNOR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
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3		SENESEW	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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	Diversion Means:	HEADGATE				
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	Diversion Means:	HEADGATE				
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	Diversion Means:	HEADGATE				
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9		SENESE	19	6S	14W	BEAVERHEAD
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	Diversion Means:	HEADGATE				
	Ditch Name:	DAVIS DITCH				
Period of Use:	MAY 1 TO OCTOBER 9					

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<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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9	463.00			21	6S	14W	BEAVERHEAD
10	124.00		N2	28	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
11	268.00		N2	29	6S	14W	BEAVERHEAD
12	88.00		NE	30	6S	14W	BEAVERHEAD
13	106.00		S2	5	7S	14W	BEAVERHEAD
14	18.00		E2SE	6	7S	14W	BEAVERHEAD
15	106.00			7	7S	14W	BEAVERHEAD
16	127.00		W2	8	7S	14W	BEAVERHEAD
17	114.00		W2	17	7S	14W	BEAVERHEAD
18	308.00			18	7S	14W	BEAVERHEAD
19	156.00		N2	19	7S	14W	BEAVERHEAD
20	4.00		NWNWNW	20	7S	14W	BEAVERHEAD
Total:	4,270.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164056-00	164077-00	164078-00	164079-00	164080-00	164081-00	164082-00
164083-00	164084-00	164085-00	164086-00	164087-00	164088-00	164089-00
164090-00	164091-00	164092-00	164093-00	164094-00	164095-00	164096-00
164097-00	164098-00	164127-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/09/1991: MAXIMUM ACRES, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-16, 979-18, AND 979-20 , DATED 09/19/1979 , APPEARS TO INDICATE 3614.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-12, CXM 5FF-14, CXM 5FF-15, CXM 8FF-63, CXM 13P-98, CXM 7B-78, CXM 7B-77 , DATED 08/17/1965, 08/09/1955, 08/14/1942 , APPEARS TO INDICATE 3651.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164082-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JULY 1, 1898

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 170.54 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 4,270.00

Source Name: GOVERNOR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		NESWNW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		SENESEW	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		SWNWSE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 11				
5		NENENE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 10				
6		SESWNW	8	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
7		SWSENE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	GIST DITCH NO. 8				
8		NENESE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN JACKSON DITCH				
9		SENESE	19	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
10		NESWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
11		NWSWNE	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
12		SWNWSW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
13		SESESW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
14		NENENW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
15		SENWSW	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
16		SWSWNE	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
17		NWNWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	DAVIS DITCH				
Period of Use:	MAY 1 TO OCTOBER 9					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	35.00		SW	5	6S	14W	BEAVERHEAD
2	51.00		E2SE	6	6S	14W	BEAVERHEAD
3	147.00		E2E2	7	6S	14W	BEAVERHEAD
4	517.00			8	6S	14W	BEAVERHEAD
5	630.00			17	6S	14W	BEAVERHEAD
6	149.00			18	6S	14W	BEAVERHEAD
7	219.00		E2	19	6S	14W	BEAVERHEAD
8	640.00			20	6S	14W	BEAVERHEAD
9	463.00			21	6S	14W	BEAVERHEAD
10	124.00		N2	28	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
11	268.00		N2	29	6S	14W	BEAVERHEAD
12	88.00		NE	30	6S	14W	BEAVERHEAD
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15	106.00			7	7S	14W	BEAVERHEAD
16	127.00		W2	8	7S	14W	BEAVERHEAD
17	114.00		W2	17	7S	14W	BEAVERHEAD
18	308.00			18	7S	14W	BEAVERHEAD
19	156.00		N2	19	7S	14W	BEAVERHEAD
20	4.00		NWNWNW	20	7S	14W	BEAVERHEAD
Total:	4,270.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164056-00	164077-00	164078-00	164079-00	164080-00	164081-00	164082-00
164083-00	164084-00	164085-00	164086-00	164087-00	164088-00	164089-00
164090-00	164091-00	164092-00	164093-00	164094-00	164095-00	164096-00
164097-00	164098-00	164127-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/09/1991: MAXIMUM ACRES, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-16, 979-18, AND 979-20 , DATED 09/19/1979 , APPEARS TO INDICATE 3614.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-12, CXM 5FF-14, CXM 5FF-15, CXM 8FF-63, CXM 13P-98, CXM 7B-78, CXM 7B-77 , DATED 08/17/1965, 08/09/1955, 08/14/1942 , APPEARS TO INDICATE 3651.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164083-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JUNE 1, 1898

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.20 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 4,270.00

Source Name: GOVERNOR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		NESWNW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		SENESEW	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		SWNWSE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 11				
5		NENENE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 10				
6		SESWNW	8	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
7		SWSENE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	GIST DITCH NO. 8				
8		NENESE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN JACKSON DITCH				
9		SENESE	19	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
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	Diversion Means:	HEADGATE				
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	Diversion Means:	HEADGATE				
17		NWNWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	DAVIS DITCH				
Period of Use:	MAY 1 TO OCTOBER 9					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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4	517.00			8	6S	14W	BEAVERHEAD
5	630.00			17	6S	14W	BEAVERHEAD
6	149.00			18	6S	14W	BEAVERHEAD
7	219.00		E2	19	6S	14W	BEAVERHEAD
8	640.00			20	6S	14W	BEAVERHEAD
9	463.00			21	6S	14W	BEAVERHEAD
10	124.00		N2	28	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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17	114.00		W2	17	7S	14W	BEAVERHEAD
18	308.00			18	7S	14W	BEAVERHEAD
19	156.00		N2	19	7S	14W	BEAVERHEAD
20	4.00		NWNWNW	20	7S	14W	BEAVERHEAD
Total:	4,270.00						

Remarks:

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164083-00	164084-00	164085-00	164086-00	164087-00	164088-00	164089-00
164090-00	164091-00	164092-00	164093-00	164094-00	164095-00	164096-00
164097-00	164098-00	164127-00				

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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164084-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JULY 2, 1898

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.63 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 4,270.00

Source Name: GOVERNOR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		NESWNW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		SENESEW	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		SWNWSE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 11				
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	Diversion Means:	HEADGATE				
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	Diversion Means:	HEADGATE				
	Ditch Name:	GIST DITCH NO. 8				
8		NENESE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN JACKSON DITCH				
9		SENESE	19	6S	14W	BEAVERHEAD
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11		NWSWNE	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
12		SWNWSW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
13		SESESW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
14		NENENW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
15		SENWSW	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
16		SWSWNE	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
17		NWNWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	DAVIS DITCH				
Period of Use:	MAY 1 TO OCTOBER 9					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	35.00		SW	5	6S	14W	BEAVERHEAD
2	51.00		E2SE	6	6S	14W	BEAVERHEAD
3	147.00		E2E2	7	6S	14W	BEAVERHEAD
4	517.00			8	6S	14W	BEAVERHEAD
5	630.00			17	6S	14W	BEAVERHEAD
6	149.00			18	6S	14W	BEAVERHEAD
7	219.00		E2	19	6S	14W	BEAVERHEAD
8	640.00			20	6S	14W	BEAVERHEAD
9	463.00			21	6S	14W	BEAVERHEAD
10	124.00		N2	28	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
11	268.00		N2	29	6S	14W	BEAVERHEAD
12	88.00		NE	30	6S	14W	BEAVERHEAD
13	106.00		S2	5	7S	14W	BEAVERHEAD
14	18.00		E2SE	6	7S	14W	BEAVERHEAD
15	106.00			7	7S	14W	BEAVERHEAD
16	127.00		W2	8	7S	14W	BEAVERHEAD
17	114.00		W2	17	7S	14W	BEAVERHEAD
18	308.00			18	7S	14W	BEAVERHEAD
19	156.00		N2	19	7S	14W	BEAVERHEAD
20	4.00		NWNWNW	20	7S	14W	BEAVERHEAD
Total:	4,270.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164056-00	164077-00	164078-00	164079-00	164080-00	164081-00	164082-00
164083-00	164084-00	164085-00	164086-00	164087-00	164088-00	164089-00
164090-00	164091-00	164092-00	164093-00	164094-00	164095-00	164096-00
164097-00	164098-00	164127-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/09/1991: MAXIMUM ACRES, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-16, 979-18, AND 979-20 , DATED 09/19/1979 , APPEARS TO INDICATE 3614.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-12, CXM 5FF-14, CXM 5FF-15, CXM 8FF-63, CXM 13P-98, CXM 7B-78, CXM 7B-77 , DATED 08/17/1965, 08/09/1955, 08/14/1942 , APPEARS TO INDICATE 3651.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164085-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JUNE 1, 1896

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 179.52 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 4,270.00

Source Name: GOVERNOR CREEK

Source Type: SURFACE WATER

CASE 1514 DECREED 16 INCHES OF WASTEWATER FROM OTTO CRONWELL'S FIELD

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	19	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
2		NESWNW	19	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
3		SENEW	18	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		SWNWSE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 11				
5		NENENE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 10				
6		SESWNW	8	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
7		SWSENE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	GIST DITCH NO. 8				
8		NENESE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN JACKSON DITCH				
9		SENESE	19	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
10		NESWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
11		NWSWNE	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
12		SWNWSW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
13		SESESW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
14		NENENW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
15		SENWSW	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
16		SWSWNE	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
17		NWNWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	DAVIS DITCH				
Period of Use:	MAY 1 TO OCTOBER 9					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	35.00		SW	5	6S	14W	BEAVERHEAD
2	51.00		E2SE	6	6S	14W	BEAVERHEAD
3	147.00		E2E2	7	6S	14W	BEAVERHEAD
4	517.00			8	6S	14W	BEAVERHEAD
5	630.00			17	6S	14W	BEAVERHEAD
6	149.00			18	6S	14W	BEAVERHEAD
7	219.00		E2	19	6S	14W	BEAVERHEAD
8	640.00			20	6S	14W	BEAVERHEAD
9	463.00			21	6S	14W	BEAVERHEAD
10	124.00		N2	28	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
11	268.00		N2	29	6S	14W	BEAVERHEAD
12	88.00		NE	30	6S	14W	BEAVERHEAD
13	106.00		S2	5	7S	14W	BEAVERHEAD
14	18.00		E2SE	6	7S	14W	BEAVERHEAD
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16	127.00		W2	8	7S	14W	BEAVERHEAD
17	114.00		W2	17	7S	14W	BEAVERHEAD
18	308.00			18	7S	14W	BEAVERHEAD
19	156.00		N2	19	7S	14W	BEAVERHEAD
20	4.00		NWNWNW	20	7S	14W	BEAVERHEAD
Total:	4,270.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

- 164056-00 164077-00 164078-00 164079-00 164080-00 164081-00 164082-00
- 164083-00 164084-00 164085-00 164086-00 164087-00 164088-00 164089-00
- 164090-00 164091-00 164092-00 164093-00 164094-00 164095-00 164096-00
- 164097-00 164098-00 164127-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/09/1991: MAXIMUM ACRES, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-16, 979-18, 979-20 , DATED 09/19/1979 , APPEARS TO INDICATE 3614.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-12, CXM 5FF-14, CXM 5FF-15, CXM 8FF-63, CXM 13P-98, CXM 7B-78, CXM 7B-77 , DATED 08/17/1965, 08/09/1955, 08/14/1942 , APPEARS TO INDICATE 3651.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE CLAIMED SOURCE MAY BE QUESTIONABLE. THE SOURCE DESCRIBED IN CASE NO. 1514 , BEAVERHEAD COUNTY, IS INCONSISTENT WITH THE SOURCE AT THE CLAIMED POINT OF DIVERSION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164086-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JULY 2, 1898

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.15 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 4,270.00

Source Name: GOVERNOR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		NESWNW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		SENESEW	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		SWNWSE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 11				
5		NENENE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 10				
6		SESWNW	8	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
7		SWSENE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	GIST DITCH NO. 8				
8		NENESE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN JACKSON DITCH				
9		SENESE	19	6S	14W	BEAVERHEAD
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	Diversion Means:	HEADGATE				
17		NWNWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	DAVIS DITCH				
Period of Use:	MAY 1 TO OCTOBER 9					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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9	463.00			21	6S	14W	BEAVERHEAD
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Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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12	88.00		NE	30	6S	14W	BEAVERHEAD
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14	18.00		E2SE	6	7S	14W	BEAVERHEAD
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16	127.00		W2	8	7S	14W	BEAVERHEAD
17	114.00		W2	17	7S	14W	BEAVERHEAD
18	308.00			18	7S	14W	BEAVERHEAD
19	156.00		N2	19	7S	14W	BEAVERHEAD
20	4.00		NWNWNW	20	7S	14W	BEAVERHEAD
Total:	4,270.00						

Remarks:

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164056-00	164077-00	164078-00	164079-00	164080-00	164081-00	164082-00
164083-00	164084-00	164085-00	164086-00	164087-00	164088-00	164089-00
164090-00	164091-00	164092-00	164093-00	164094-00	164095-00	164096-00
164097-00	164098-00	164127-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/09/1991: MAXIMUM ACRES, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

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USDA AERIAL PHOTOGRAPH NO(S). 979-16, 979-18, 979-20 , DATED 09/19/1979 , APPEARS TO INDICATE 3614.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-12, CXM 5FF-14, CXM 5FF-15, CXM 8FF-63, CXM 13P-98, CXM 7B-78, CXM 7B-77 , DATED 08/17/1965, 08/09/1955, 08/14/1942 , APPEARS TO INDICATE 3651.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164087-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JUNE 10, 1896

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.25 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 4,270.00

Source Name: GOVERNOR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		NESWNW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		SENESEW	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		SWNWSE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 11				
5		NENENE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 10				
6		SESWNW	8	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
7		SWSENE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	GIST DITCH NO. 8				
8		NENESE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN JACKSON DITCH				
9		SENESE	19	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
10		NESWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
11		NWSWNE	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
12		SWNWSW	17	6S	14W	BEAVERHEAD
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14		NENENW	17	6S	14W	BEAVERHEAD
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16		SWSWNE	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
17		NWNWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	DAVIS DITCH				
Period of Use:	MAY 1 TO OCTOBER 9					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	35.00		SW	5	6S	14W	BEAVERHEAD
2	51.00		E2SE	6	6S	14W	BEAVERHEAD
3	147.00		E2E2	7	6S	14W	BEAVERHEAD
4	517.00			8	6S	14W	BEAVERHEAD
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6	149.00			18	6S	14W	BEAVERHEAD
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Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
11	268.00		N2	29	6S	14W	BEAVERHEAD
12	88.00		NE	30	6S	14W	BEAVERHEAD
13	106.00		S2	5	7S	14W	BEAVERHEAD
14	18.00		E2SE	6	7S	14W	BEAVERHEAD
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18	308.00			18	7S	14W	BEAVERHEAD
19	156.00		N2	19	7S	14W	BEAVERHEAD
20	4.00		NWNWNW	20	7S	14W	BEAVERHEAD
Total:	4,270.00						

Remarks:

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164056-00	164077-00	164078-00	164079-00	164080-00	164081-00	164082-00
164083-00	164084-00	164085-00	164086-00	164087-00	164088-00	164089-00
164090-00	164091-00	164092-00	164093-00	164094-00	164095-00	164096-00
164097-00	164098-00	164127-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/09/1991: MAXIMUM ACRES, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-16, 979-18, AND 979-20 , DATED 09/19/1979 , APPEARS TO INDICATE 3614.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164088-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JUNE 10, 1896

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 282.74 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 4,270.00

Source Name: GOVERNOR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
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	Diversion Means:	HEADGATE				
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<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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17		NWNWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	DAVIS DITCH				
Period of Use:	MAY 1 TO OCTOBER 9					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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17	114.00		W2	17	7S	14W	BEAVERHEAD
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19	156.00		N2	19	7S	14W	BEAVERHEAD
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Total:	4,270.00						

Remarks:

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BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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Water Right Number: 41D 164089-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: MAY 15, 1897

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 4,270.00

Source Name: GOVERNOR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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Total:	4,270.00						

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164090-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: MAY 1, 1895

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 5.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 4,270.00

Source Name: GOVERNOR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		NESWNW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		SENESEW	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		SWNWSE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 11				
5		NENENE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 10				
6		SESWNW	8	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
7		SWSENE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	GIST DITCH NO. 8				
8		NENESE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN JACKSON DITCH				
9		SENESE	19	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
10		NESWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
11		NWSWNE	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
12		SWNWSW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
13		SESESW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
14		NENENW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
15		SENWSW	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
16		SWSWNE	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
17		NWNWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	DAVIS DITCH				
Period of Use:	MAY 1 TO OCTOBER 9					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	35.00		SW	5	6S	14W	BEAVERHEAD
2	51.00		E2SE	6	6S	14W	BEAVERHEAD
3	147.00		E2E2	7	6S	14W	BEAVERHEAD
4	517.00			8	6S	14W	BEAVERHEAD
5	630.00			17	6S	14W	BEAVERHEAD
6	149.00			18	6S	14W	BEAVERHEAD
7	219.00		E2	19	6S	14W	BEAVERHEAD
8	640.00			20	6S	14W	BEAVERHEAD
9	463.00			21	6S	14W	BEAVERHEAD
10	124.00		N2	28	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
11	268.00		N2	29	6S	14W	BEAVERHEAD
12	88.00		NE	30	6S	14W	BEAVERHEAD
13	106.00		S2	5	7S	14W	BEAVERHEAD
14	18.00		E2SE	6	7S	14W	BEAVERHEAD
15	106.00			7	7S	14W	BEAVERHEAD
16	127.00		W2	8	7S	14W	BEAVERHEAD
17	114.00		W2	17	7S	14W	BEAVERHEAD
18	308.00			18	7S	14W	BEAVERHEAD
19	156.00		N2	19	7S	14W	BEAVERHEAD
20	4.00		NWNWNW	20	7S	14W	BEAVERHEAD
Total:	4,270.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164056-00	164077-00	164078-00	164079-00	164080-00	164081-00	164082-00
164083-00	164084-00	164085-00	164086-00	164087-00	164088-00	164089-00
164090-00	164091-00	164092-00	164093-00	164094-00	164095-00	164096-00
164097-00	164098-00	164127-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/09/1991: MAXIMUM ACRES, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-16, 979-18, AND 979-20 , DATED 09/19/1979 , APPEARS TO INDICATE 3614.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-12, CXM 5FF-14, CXM 5FF-15, CXM 8FF-63, CXM 13P-98, CXM 7B-78, CXM 7B-77 , DATED 08/17/1965, 08/09/1955, 08/14/1942 , APPEARS TO INDICATE 3651.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

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Water Right Number: 41D 164091-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JUNE 4, 1896

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 3.10 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 4,270.00

Source Name: GOVERNOR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		NESWNW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		SENESEW	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		SWNWSE	18	7S	14W	BEAVERHEAD
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	Ditch Name:	W. H. KUNNEY DITCH NO. 11				
5		NENENE	18	7S	14W	BEAVERHEAD
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6		SESWNW	8	7S	14W	BEAVERHEAD
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8		NENESE	30	6S	14W	BEAVERHEAD
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17		NWNWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	DAVIS DITCH				
Period of Use:	MAY 1 TO OCTOBER 9					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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4	517.00			8	6S	14W	BEAVERHEAD
5	630.00			17	6S	14W	BEAVERHEAD
6	149.00			18	6S	14W	BEAVERHEAD
7	219.00		E2	19	6S	14W	BEAVERHEAD
8	640.00			20	6S	14W	BEAVERHEAD
9	463.00			21	6S	14W	BEAVERHEAD
10	124.00		N2	28	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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12	88.00		NE	30	6S	14W	BEAVERHEAD
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14	18.00		E2SE	6	7S	14W	BEAVERHEAD
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17	114.00		W2	17	7S	14W	BEAVERHEAD
18	308.00			18	7S	14W	BEAVERHEAD
19	156.00		N2	19	7S	14W	BEAVERHEAD
20	4.00		NWNWNW	20	7S	14W	BEAVERHEAD
Total:	4,270.00						

Remarks:

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164083-00	164084-00	164085-00	164086-00	164087-00	164088-00	164089-00
164090-00	164091-00	164092-00	164093-00	164094-00	164095-00	164096-00
164097-00	164098-00	164127-00				

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AERIAL PHOTOGRAPH NO(S). CXM 5FF-12, CXM 5FF-14, CXM 5FF-15, CXM 8FF-63, CXM 13P-98, CXM 7B-78, CXM 7B-77 , DATED 08/17/1965, 08/09/1955, 08/14/1942 , APPEARS TO INDICATE 3651.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164092-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: MAY 30, 1897

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 336.60 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 4,270.00

Source Name: GOVERNOR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		NESWNW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		SENESEW	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		SWNWSE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 11				
5		NENENE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 10				
6		SESWNW	8	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
7		SWSENE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	GIST DITCH NO. 8				
8		NENESE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN JACKSON DITCH				
9		SENESE	19	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
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	Diversion Means:	HEADGATE				
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	Diversion Means:	HEADGATE				
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	Diversion Means:	HEADGATE				
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	Diversion Means:	HEADGATE				
17		NWNWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	DAVIS DITCH				
Period of Use:	MAY 1 TO OCTOBER 9					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	35.00		SW	5	6S	14W	BEAVERHEAD
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6	149.00			18	6S	14W	BEAVERHEAD
7	219.00		E2	19	6S	14W	BEAVERHEAD
8	640.00			20	6S	14W	BEAVERHEAD
9	463.00			21	6S	14W	BEAVERHEAD
10	124.00		N2	28	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
11	268.00		N2	29	6S	14W	BEAVERHEAD
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15	106.00			7	7S	14W	BEAVERHEAD
16	127.00		W2	8	7S	14W	BEAVERHEAD
17	114.00		W2	17	7S	14W	BEAVERHEAD
18	308.00			18	7S	14W	BEAVERHEAD
19	156.00		N2	19	7S	14W	BEAVERHEAD
20	4.00		NWNWNW	20	7S	14W	BEAVERHEAD
Total:	4,270.00						

Remarks:

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164056-00	164077-00	164078-00	164079-00	164080-00	164081-00	164082-00
164083-00	164084-00	164085-00	164086-00	164087-00	164088-00	164089-00
164090-00	164091-00	164092-00	164093-00	164094-00	164095-00	164096-00
164097-00	164098-00	164127-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/09/1991: MAXIMUM ACRES, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-16, 979-18, AND 979-20 , DATED 09/19/1979 , APPEARS TO INDICATE 3614.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-12, CXM 5FF-14, CXM 5FF-15, CXM8FF-63, CXM 13P-98, CXM 7B-78, AND CXM 7B-77 , DATED 08/17/1965, 08/09/1955, AND 08/14/1942 , APPEARS TO INDICATE 3651.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164093-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: NOVEMBER 1, 1898

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 3.55 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 4,270.00

Source Name: GOVERNOR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		NESWNW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		SENESEW	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		SWNWSE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 11				
5		NENENE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 10				
6		SESWNW	8	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
7		SWSENE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	GIST DITCH NO. 8				
8		NENESE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN JACKSON DITCH				
9		SENESE	19	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
10		NESWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
11		NWSWNE	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
12		SWNWSW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
13		SESESW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
14		NENENW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
15		SENWSW	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
16		SWSWNE	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
17		NWNWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	DAVIS DITCH				
Period of Use:	MAY 1 TO OCTOBER 9					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	35.00		SW	5	6S	14W	BEAVERHEAD
2	51.00		E2SE	6	6S	14W	BEAVERHEAD
3	147.00		E2E2	7	6S	14W	BEAVERHEAD
4	517.00			8	6S	14W	BEAVERHEAD
5	630.00			17	6S	14W	BEAVERHEAD
6	149.00			18	6S	14W	BEAVERHEAD
7	219.00		E2	19	6S	14W	BEAVERHEAD
8	640.00			20	6S	14W	BEAVERHEAD
9	463.00			21	6S	14W	BEAVERHEAD
10	124.00		N2	28	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
11	268.00		N2	29	6S	14W	BEAVERHEAD
12	88.00		NE	30	6S	14W	BEAVERHEAD
13	106.00		S2	5	7S	14W	BEAVERHEAD
14	18.00		E2SE	6	7S	14W	BEAVERHEAD
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16	127.00		W2	8	7S	14W	BEAVERHEAD
17	114.00		W2	17	7S	14W	BEAVERHEAD
18	308.00			18	7S	14W	BEAVERHEAD
19	156.00		N2	19	7S	14W	BEAVERHEAD
20	4.00		NWNWNW	20	7S	14W	BEAVERHEAD
Total:	4,270.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164056-00	164077-00	164078-00	164079-00	164080-00	164081-00	164082-00
164083-00	164084-00	164085-00	164086-00	164087-00	164088-00	164089-00
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164097-00	164098-00	164127-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/09/1991: MAXIMUM ACRES, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-16, 979-18, 979-20 , DATED 09/19/1979 , APPEARS TO INDICATE 3614.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-12, CXM 5FF-14, CXM 5FF-15, CXM 8FF-63, CXM 13P-98, CXM 7B-78, CXM 7B-77 , DATED 08/17/1965, 08/09/1955, 08/14/1942 , APPEARS TO INDICATE 3651.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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Water Right Number: 41D 164094-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JULY 15, 1898

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 3.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 4,270.00

Source Name: GOVERNOR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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	Diversion Means:	HEADGATE				
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<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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	Diversion Means:	HEADGATE				
	Ditch Name:	DAVIS DITCH				
Period of Use:	MAY 1 TO OCTOBER 9					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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16	127.00		W2	8	7S	14W	BEAVERHEAD
17	114.00		W2	17	7S	14W	BEAVERHEAD
18	308.00			18	7S	14W	BEAVERHEAD
19	156.00		N2	19	7S	14W	BEAVERHEAD
20	4.00		NWNWNW	20	7S	14W	BEAVERHEAD
Total:	4,270.00						

Remarks:

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164097-00	164098-00	164127-00				

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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164095-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: MAY 1, 1911

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 6.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 4,270.00

Source Name: GOVERNOR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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	Diversion Means:	HEADGATE				
	Ditch Name:	DAVIS DITCH				
Period of Use:	MAY 1 TO OCTOBER 9					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	35.00		SW	5	6S	14W	BEAVERHEAD
2	51.00		E2SE	6	6S	14W	BEAVERHEAD
3	147.00		E2E2	7	6S	14W	BEAVERHEAD
4	517.00			8	6S	14W	BEAVERHEAD
5	630.00			17	6S	14W	BEAVERHEAD
6	149.00			18	6S	14W	BEAVERHEAD
7	219.00		E2	19	6S	14W	BEAVERHEAD
8	640.00			20	6S	14W	BEAVERHEAD
9	463.00			21	6S	14W	BEAVERHEAD
10	124.00		N2	28	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
11	268.00		N2	29	6S	14W	BEAVERHEAD
12	88.00		NE	30	6S	14W	BEAVERHEAD
13	106.00		S2	5	7S	14W	BEAVERHEAD
14	18.00		E2SE	6	7S	14W	BEAVERHEAD
15	106.00			7	7S	14W	BEAVERHEAD
16	127.00		W2	8	7S	14W	BEAVERHEAD
17	114.00		W2	17	7S	14W	BEAVERHEAD
18	308.00			18	7S	14W	BEAVERHEAD
19	156.00		N2	19	7S	14W	BEAVERHEAD
20	4.00		NWNWNW	20	7S	14W	BEAVERHEAD
Total:	4,270.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164056-00	164077-00	164078-00	164079-00	164080-00	164081-00	164082-00
164083-00	164084-00	164085-00	164086-00	164087-00	164088-00	164089-00
164090-00	164091-00	164092-00	164093-00	164094-00	164095-00	164096-00
164097-00	164098-00	164127-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/09/1991: MAXIMUM ACRES, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-16, 979-18, 979-20 , DATED 09/19/1979 , APPEARS TO INDICATE 3614.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-12, CXM 5FF-14, CXM 5FF-15, CXM 8FF-63, CXM 13P-98, CXM 7B-78, CXM 7B-77 , DATED 08/17/1965, 08/09/1955, 08/14/1942 , APPEARS TO INDICATE 3651.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164096-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: MAY 1, 1911

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 6.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 4,270.00

Source Name: GOVERNOR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		NESWNW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		SENESEW	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		SWNWSE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 11				
5		NENENE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 10				
6		SESWNW	8	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
7		SWSENE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	GIST DITCH NO. 8				
8		NENESE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN JACKSON DITCH				
9		SENESE	19	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
10		NESWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
11		NWSWNE	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
12		SWNWSW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
13		SESESW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
14		NENENW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
15		SENWSW	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
16		SWSWNE	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
17		NWNWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	DAVIS DITCH				
Period of Use:	MAY 1 TO OCTOBER 9					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	35.00		SW	5	6S	14W	BEAVERHEAD
2	51.00		E2SE	6	6S	14W	BEAVERHEAD
3	147.00		E2E2	7	6S	14W	BEAVERHEAD
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5	630.00			17	6S	14W	BEAVERHEAD
6	149.00			18	6S	14W	BEAVERHEAD
7	219.00		E2	19	6S	14W	BEAVERHEAD
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9	463.00			21	6S	14W	BEAVERHEAD
10	124.00		N2	28	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
11	268.00		N2	29	6S	14W	BEAVERHEAD
12	88.00		NE	30	6S	14W	BEAVERHEAD
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17	114.00		W2	17	7S	14W	BEAVERHEAD
18	308.00			18	7S	14W	BEAVERHEAD
19	156.00		N2	19	7S	14W	BEAVERHEAD
20	4.00		NWNWNW	20	7S	14W	BEAVERHEAD
Total:	4,270.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164056-00	164077-00	164078-00	164079-00	164080-00	164081-00	164082-00
164083-00	164084-00	164085-00	164086-00	164087-00	164088-00	164089-00
164090-00	164091-00	164092-00	164093-00	164094-00	164095-00	164096-00
164097-00	164098-00	164127-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/09/1991: MAXIMUM ACRES, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-16, 979-18, 979-20 , DATED 09/19/1979 , APPEARS TO INDICATE 3614.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-12, CXM 5FF-14, CXM 5FF-15, CXM 8FF-63, CXM 13P-98, CXM 7B-78, CXM 7B-77 , DATED 08/17/1965, 08/09/1955, 08/14/1942 , APPEARS TO INDICATE 3651.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164097-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JUNE 1, 1904

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.75 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 4,270.00

Source Name: GOVERNOR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		NESWNW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		SENEW	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		SWNWSE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 11				
5		NENENE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 10				
6		SESWNW	8	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
7		SWSENE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	GIST DITCH NO. 8				
8		NENESE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN JACKSON DITCH				
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	Diversion Means:	HEADGATE				
17		NWNWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	DAVIS DITCH				
Period of Use:	MAY 1 TO OCTOBER 9					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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8	640.00			20	6S	14W	BEAVERHEAD
9	463.00			21	6S	14W	BEAVERHEAD
10	124.00		N2	28	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
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17	114.00		W2	17	7S	14W	BEAVERHEAD
18	308.00			18	7S	14W	BEAVERHEAD
19	156.00		N2	19	7S	14W	BEAVERHEAD
20	4.00		NWNWNW	20	7S	14W	BEAVERHEAD
Total:	4,270.00						

Remarks:

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164056-00	164077-00	164078-00	164079-00	164080-00	164081-00	164082-00
164083-00	164084-00	164085-00	164086-00	164087-00	164088-00	164089-00
164090-00	164091-00	164092-00	164093-00	164094-00	164095-00	164096-00
164097-00	164098-00	164127-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/09/1991: MAXIMUM ACRES, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

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AERIAL PHOTOGRAPH NO(S). CXM 5FF-12, CXM 5FF-14, CXM 5FF-15, CXM 8FF-63, CXM 13P-98, CXM 7B-78, CXM 7B-77 , DATED 08/17/1965, 08/09/1955, 08/14/1942 , APPEARS TO INDICATE 3651.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164098-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JUNE 1, 1905

THE NOTICE OF APPROPRIATION FILED BY CHARLES PINKERTON STATES, 'WASTEWATER FROM ED ROMAINE'S DITCH'. MRS. ED ROMAINE & BLANCHE PINKERTON WERE DEFAULTED IN CASE 1514, BEAVERHEAD COUNTY.

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 3.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 4,270.00

Source Name: GOVERNOR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENSW	19	7S	14W	BEAVERHEAD
	Diversion Means:		HEADGATE				
2			NESWNW	19	7S	14W	BEAVERHEAD
	Diversion Means:		HEADGATE				
3			SESW	18	7S	14W	BEAVERHEAD
	Diversion Means:		HEADGATE				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		SWNWSE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 11				
5		NENENE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 10				
6		SESWNW	8	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
7		SWSENE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	GIST DITCH NO. 8				
8		NENESE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN JACKSON DITCH				
9		SENESE	19	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
10		NESWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
11		NWSWNE	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
12		SWNWSW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
13		SESESW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
14		NENENW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
15		SENWSW	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
16		SWSWNE	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
17		NWNWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	DAVIS DITCH				
Period of Use:	MAY 1 TO OCTOBER 9					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	35.00		SW	5	6S	14W	BEAVERHEAD
2	51.00		E2SE	6	6S	14W	BEAVERHEAD
3	147.00		E2E2	7	6S	14W	BEAVERHEAD
4	517.00			8	6S	14W	BEAVERHEAD
5	630.00			17	6S	14W	BEAVERHEAD
6	149.00			18	6S	14W	BEAVERHEAD
7	219.00		E2	19	6S	14W	BEAVERHEAD
8	640.00			20	6S	14W	BEAVERHEAD
9	463.00			21	6S	14W	BEAVERHEAD
10	124.00		N2	28	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
11	268.00		N2	29	6S	14W	BEAVERHEAD
12	88.00		NE	30	6S	14W	BEAVERHEAD
13	106.00		S2	5	7S	14W	BEAVERHEAD
14	18.00		E2SE	6	7S	14W	BEAVERHEAD
15	106.00			7	7S	14W	BEAVERHEAD
16	127.00		W2	8	7S	14W	BEAVERHEAD
17	114.00		W2	17	7S	14W	BEAVERHEAD
18	308.00			18	7S	14W	BEAVERHEAD
19	156.00		N2	19	7S	14W	BEAVERHEAD
20	4.00		NWNWNW	20	7S	14W	BEAVERHEAD
Total:	4,270.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

- 164056-00 164077-00 164078-00 164079-00 164080-00 164081-00 164082-00
- 164083-00 164084-00 164085-00 164086-00 164087-00 164088-00 164089-00
- 164090-00 164091-00 164092-00 164093-00 164094-00 164095-00 164096-00
- 164097-00 164098-00 164127-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/09/1991: MAXIMUM ACRES, TYPE OF HISTORICAL RIGHT, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-16, 979-18, 979-20 , DATED 09/19/1979 , APPEARS TO INDICATE 3614.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-12, CXM 5FF-14, CXM 5FF-15, CXM 8FF-63, CXM 13P-98, CXM 7B-78, CXM 7B-77 , DATED 08/17/1965, 08/09/1955, 08/14/1942 , APPEARS TO INDICATE 3651.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON GOVERNOR CREEK WITH A PRIORITY DATE PREDATING CASE NO. 1514 BEAVERHEAD COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164099-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: MAY 19, 1920

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** UNNAMED TRIBUTARY OF THAYER CREEK

Source Type: SURFACE WATER

***Source Name:** THAYER CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S	SW	26	7S	14W	BEAVERHEAD

***Source Name:** THAYER CREEK

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		S	W	26	7S	14W	BEAVERHEAD
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Source Name: UNNAMED TRIBUTARY OF THAYER CREEK

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
3		E2NWSE	26	7S	14W	BEAVERHEAD
*Source Name:		THAYER CREEK				
Diversion Means:		LIVESTOCK DIRECT FROM SOURCE				
4		E2NWSE	26	7S	14W	BEAVERHEAD
Source Name:		UNNAMED TRIBUTARY OF THAYER CREEK				
Diversion Means:		LIVESTOCK DIRECT FROM SOURCE				
5		W2SESE	26	7S	14W	BEAVERHEAD
Source Name:		UNNAMED TRIBUTARY OF THAYER CREEK				
Diversion Means:		LIVESTOCK DIRECT FROM SOURCE				
6		E2SWSE	26	7S	14W	BEAVERHEAD
*Source Name:		THAYER CREEK				
Diversion Means:		LIVESTOCK DIRECT FROM SOURCE				
7		E2NENE	35	7S	14W	BEAVERHEAD
Source Name:		UNNAMED TRIBUTARY OF THAYER CREEK				
Diversion Means:		LIVESTOCK DIRECT FROM SOURCE				
8		W2NENE	35	7S	14W	BEAVERHEAD
*Source Name:		THAYER CREEK				
Diversion Means:		LIVESTOCK DIRECT FROM SOURCE				
9		W2SENE	35	7S	14W	BEAVERHEAD
*Source Name:		THAYER CREEK				
Diversion Means:		LIVESTOCK DIRECT FROM SOURCE				
Period of Use:		JANUARY 1 TO DECEMBER 31				

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSWNE	26	7S	14W	BEAVERHEAD
2			SWNESE	26	7S	14W	BEAVERHEAD
3			E2NWSE	26	7S	14W	BEAVERHEAD
4			E2NWSE	26	7S	14W	BEAVERHEAD
5			W2SESE	26	7S	14W	BEAVERHEAD
6			E2SWSE	26	7S	14W	BEAVERHEAD
7			E2NENE	35	7S	14W	BEAVERHEAD
8			W2NENE	35	7S	14W	BEAVERHEAD
9			W2SENE	35	7S	14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164100-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: MARCH 1, 1915

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 4.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 1,931.00

Source Name: ANDRUS CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWNE	21	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: INABNIT-PETERSON DITCH

2		NWSESW	22	7S	14W	BEAVERHEAD
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Diversion Means: DIVERSION DAM

Period of Use: MAY 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00		SESE	31	6S	14W	BEAVERHEAD
2	83.00		S2S2	32	6S	14W	BEAVERHEAD
3	2.00		SWSWSW	3	7S	14W	BEAVERHEAD
4	196.00			4	7S	14W	BEAVERHEAD
5	324.00			5	7S	14W	BEAVERHEAD
6	29.00		E2NE	6	7S	14W	BEAVERHEAD
7	102.00			8	7S	14W	BEAVERHEAD
8	417.00			9	7S	14W	BEAVERHEAD
9	23.00		W2W2W2	10	7S	14W	BEAVERHEAD
10	5.00		SWNW	15	7S	14W	BEAVERHEAD
11	325.00			16	7S	14W	BEAVERHEAD
12	118.00		E2	17	7S	14W	BEAVERHEAD
13	19.00		NENE	20	7S	14W	BEAVERHEAD
14	243.00			21	7S	14W	BEAVERHEAD
15	25.00		SW	22	7S	14W	BEAVERHEAD
Total:	1,931.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164064-00 164067-00 164068-00 164069-00 164100-00 164122-00 164123-00
 164125-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 164100-00, 215371-00, 215372-00.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-17, CXM 7B-77, CXM 7B-78, CXM 7B-84, CXM 7B-85 , DATED 08/14/1965, 08/14/1942, 08/15/1942 , APPEARS TO INDICATE 1786.10 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164101-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: MARCH 30, 1921

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF FOX CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N	3	7S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N	3	7S	14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164102-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JULY 1, 1920

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF FOX CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	2	7S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NW	2	7S	14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164103-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: DECEMBER 10, 1915

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF LANCEY CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NEN	22	6S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NEN	22	6S	14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164104-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: DECEMBER 10, 1915

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF LANCEY CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWNW	22	6S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESWNW	22	6S	14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164105-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: OCTOBER 23, 1914

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF ANDRUS CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWN	WSW	4	7S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWN	WSW	4	7S	14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164106-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: APRIL 30, 1919

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF FOX CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NE	SE	3	7S 14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NE	SE	3	7S 14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164107-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: OCTOBER 10, 1904

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF GOVERNOR CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	18	7S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NW	18	7S	14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164108-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: OCTOBER 10, 1904

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF GOVERNOR CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNE	18	7S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNWNE	18	7S	14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164109-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: OCTOBER 23, 1914

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF SAGE CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNENW	9	7S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNENW	9	7S	14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164110-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: OCTOBER 23, 1914

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF ANDRUS CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	SENE	8	7S 14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NW	SENE	8	7S 14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164111-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: AUGUST 30, 1923

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** RYAN SPRINGS

Source Type: SURFACE WATER

SOURCE IS COMPOSED OF NUMEROUS UNDEVELOPED SPRINGS WITHIN THE POINT OF DIVERSION LEGAL LAND DESCRIPTION.

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		E2	10	7S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2	10	7S	14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164112-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JUNE 12, 1925

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF GOVERNOR CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	6	7S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SE	6	7S	14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164113-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JUNE 12, 1925

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF GOVERNOR CREEK

Source Type: SURFACE WATER

THE SOURCE CONSISTS OF TWO SPRINGS.

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N	6	7S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		SW	6	7S	14W	BEAVERHEAD
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N	NESW	6	7S 14W	BEAVERHEAD
2			S	WNESW	6	7S 14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164114-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: OCTOBER 10, 1904

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF SAGE CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENESE	9	7S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENESE	9	7S	14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164115-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: OCTOBER 10, 1904

Type of Historical Right: USE

Purpose(usage): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF GOVERNOR CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSEW	7	7S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSEW	7	7S	14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164116-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: SEPTEMBER 21, 1904

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF GOVERNOR CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNENE	7	7S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNENE	7	7S	14W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164117-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JANUARY 22, 1916

Type of Historical Right: USE

***Purpose(use):** MULTIPLE DOMESTIC

Flow Rate: 20.00 GPM

Volume: 4.00 AC-FT

Households: 2

Maximum Acres: 1.00

Source Name: SPRING, UNNAMED TRIBUTARY OF GOVERNOR CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2SW	17	6S	14W	BEAVERHEAD

Diversion Means: DEVELOPED SPRING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	0.50		SEN	17	6S	14W	BEAVERHEAD
2	0.50		NES	17	6S	14W	BEAVERHEAD
Total:	1.00						

Remarks:

THE VOLUME WAS AMENDED BY THE CLAIMANT ON 09/09/1991.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164118-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JANUARY 22, 1916

Type of Historical Right: USE

***Purpose(use):** MULTIPLE DOMESTIC

Flow Rate: 20.00 GPM

Volume: 4.00 AC-FT

Households: 2

Maximum Acres: 1.00

Source Name: SPRING, UNNAMED TRIBUTARY OF GOVERNOR CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		E2NENE	19	6S	14W	BEAVERHEAD

Diversion Means: DEVELOPED SPRING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	0.50		SENWSW	17	6S	14W	BEAVERHEAD
2	0.50		NESWSW	17	6S	14W	BEAVERHEAD
Total:	1.00						

Remarks:

THE VOLUME WAS AMENDED BY THE CLAIMANT ON 09/09/1991.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164119-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

SPENCO LLC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3170

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: DECEMBER 4, 1914

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 6.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 2,985.00

Source Name: FOX CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNE	12	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NWSESE	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
3		NESWNW	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: UPPER FOX CREEK DITCH						
4		SWSESE	33	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: TEBO DITCH NO. 13						
5		SWNENE	31	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Period of Use: MAY 1 TO OCTOBER 19						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	351.00			27	6S	14W	BEAVERHEAD	
2	294.00			28	6S	14W	BEAVERHEAD	
3	255.00			29	6S	14W	BEAVERHEAD	
4	73.00		SE	30	6S	14W	BEAVERHEAD	
5	49.00		NE	31	6S	14W	BEAVERHEAD	
6	307.00			32	6S	14W	BEAVERHEAD	
7	500.00			33	6S	14W	BEAVERHEAD	
8	575.00			34	6S	14W	BEAVERHEAD	
9	62.00		W2W2	35	6S	14W	BEAVERHEAD	
10	227.00			2	7S	14W	BEAVERHEAD	
11	292.00			3	7S	14W	BEAVERHEAD	
Total:		2,985.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

- 164119-00 164120-00 164121-00 164124-00 164126-00 164130-00 164131-00
- 164132-00 164133-00 164134-00 164135-00 164137-00 164138-00 164140-00
- 164141-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-18, 879-247 , DATED 09/18/1979 , APPEARS TO INDICATE 2679.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-17, CXM 8FF-61, CXM 7B-84, CXM 7B-147 , DATED 08/17/1965, 08/17/1965, 08/15/1942, 08/15/1942 , APPEARS TO INDICATE 2728.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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Water Right Number: 41D 164120-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

SPENCO LLC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3170

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: JULY 18, 1898

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.23 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 2,985.00

Source Name: FOX CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNE	12	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NWSESE	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
3		NESWNW	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: UPPER FOX CREEK DITCH						
4		SWSESE	33	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: TEBO DITCH NO. 13						
5		SWNENE	31	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Period of Use: MAY 1 TO OCTOBER 19						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	351.00			27	6S	14W	BEAVERHEAD	
2	294.00			28	6S	14W	BEAVERHEAD	
3	255.00			29	6S	14W	BEAVERHEAD	
4	73.00		SE	30	6S	14W	BEAVERHEAD	
5	49.00		NE	31	6S	14W	BEAVERHEAD	
6	307.00			32	6S	14W	BEAVERHEAD	
7	500.00			33	6S	14W	BEAVERHEAD	
8	575.00			34	6S	14W	BEAVERHEAD	
9	62.00		W2W2	35	6S	14W	BEAVERHEAD	
10	227.00			2	7S	14W	BEAVERHEAD	
11	292.00			3	7S	14W	BEAVERHEAD	
Total:		2,985.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

- 164119-00 164120-00 164121-00 164124-00 164126-00 164130-00 164131-00
- 164132-00 164133-00 164134-00 164135-00 164137-00 164138-00 164140-00
- 164141-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164121-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

SPENCO LLC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3170

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: JULY 18, 1898

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 3.55 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 2,985.00

Source Name: FOX CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSWNE	12	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NWSESE	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
3		NESWNW	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: UPPER FOX CREEK DITCH						
4		SWSESE	33	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: TEBO DITCH NO. 13						
5		SWNENE	31	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Period of Use: MAY 1 TO OCTOBER 19						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	351.00			27	6S	14W	BEAVERHEAD	
2	294.00			28	6S	14W	BEAVERHEAD	
3	255.00			29	6S	14W	BEAVERHEAD	
4	73.00		SE	30	6S	14W	BEAVERHEAD	
5	49.00		NE	31	6S	14W	BEAVERHEAD	
6	307.00			32	6S	14W	BEAVERHEAD	
7	500.00			33	6S	14W	BEAVERHEAD	
8	575.00			34	6S	14W	BEAVERHEAD	
9	62.00		W2W2	35	6S	14W	BEAVERHEAD	
10	227.00			2	7S	14W	BEAVERHEAD	
11	292.00			3	7S	14W	BEAVERHEAD	
Total:		2,985.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

- 164119-00 164120-00 164121-00 164124-00 164126-00 164130-00 164131-00
- 164132-00 164133-00 164134-00 164135-00 164137-00 164138-00 164140-00
- 164141-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-18, 879-247 , DATED 09/18/1979 , APPEARS TO INDICATE 2679.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-17, CXM 8FF-61, CXM 7B-84, CXM 7B-147 , DATED 08/17/1965, 08/17/1965, 08/15/1942, 08/15/1942 , APPEARS TO INDICATE 2728.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164122-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: MAY 20, 1898

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 282.74 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 1,107.00

Source Name: SAGE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWNW	15	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: INABNIT-PETERSON DITCH

Period of Use: MAY 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00		SESE	31	6S	14W	BEAVERHEAD
2	83.00		S2S2	32	6S	14W	BEAVERHEAD
3	2.00		SWSW	3	7S	14W	BEAVERHEAD
4	196.00			4	7S	14W	BEAVERHEAD
5	324.00			5	7S	14W	BEAVERHEAD
6	417.00			9	7S	14W	BEAVERHEAD
7	23.00		W2W2	10	7S	14W	BEAVERHEAD
8	3.00		SWNW	15	7S	14W	BEAVERHEAD
9	39.00		NE	16	7S	14W	BEAVERHEAD
Total:		1,107.00					

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164064-00 164067-00 164068-00 164069-00 164100-00 164122-00 164123-00
 164125-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

164122-00 164148-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 164122-00, 215371-00, 215372-00.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-17, CXM 7B-84 , DATED 08/01/1965, 08/15/1942 , APPEARS TO INDICATE 1020.60 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164123-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: MAY 30, 1898

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 1,107.00

Source Name: SAGE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWNW	15	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: INABNIT-PETERSON DITCH

Period of Use: MAY 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00		SESE	31	6S	14W	BEAVERHEAD
2	83.00		S2S2	32	6S	14W	BEAVERHEAD
3	2.00		SWSW	3	7S	14W	BEAVERHEAD
4	196.00			4	7S	14W	BEAVERHEAD
5	324.00			5	7S	14W	BEAVERHEAD
6	417.00			9	7S	14W	BEAVERHEAD
7	23.00		W2W2	10	7S	14W	BEAVERHEAD
8	3.00		SWNW	15	7S	14W	BEAVERHEAD
9	39.00		NE	16	7S	14W	BEAVERHEAD
Total:							
1,107.00							

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164064-00 164067-00 164068-00 164069-00 164100-00 164122-00 164123-00
 164125-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 164123-00, 215371-00, 215372-00.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-17, CXM 7B-84 , DATED 08/01/1965, 08/15/1942 , APPEARS TO INDICATE 1020.60 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164124-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

SPENCO LLC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3170

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: JUNE 4, 1901

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.45 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 2,985.00

Source Name: FOX CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNE	12	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NWSESE	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
3		NESWNW	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: UPPER FOX CREEK DITCH						
4		SWSESE	33	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: TEBO DITCH NO. 13						
5		SWNENE	31	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Period of Use: MAY 1 TO OCTOBER 19						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	351.00			27	6S	14W	BEAVERHEAD	
2	294.00			28	6S	14W	BEAVERHEAD	
3	255.00			29	6S	14W	BEAVERHEAD	
4	73.00		SE	30	6S	14W	BEAVERHEAD	
5	49.00		NE	31	6S	14W	BEAVERHEAD	
6	307.00			32	6S	14W	BEAVERHEAD	
7	500.00			33	6S	14W	BEAVERHEAD	
8	575.00			34	6S	14W	BEAVERHEAD	
9	62.00		W2W2	35	6S	14W	BEAVERHEAD	
10	227.00			2	7S	14W	BEAVERHEAD	
11	292.00			3	7S	14W	BEAVERHEAD	
Total:		2,985.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

- 164119-00 164120-00 164121-00 164124-00 164126-00 164130-00 164131-00
- 164132-00 164133-00 164134-00 164135-00 164137-00 164138-00 164140-00
- 164141-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-18, 879-247 , DATED 09/18/1979 , APPEARS TO INDICATE 2679.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-17, CXM 8FF-61, CXM 7B-84, CXM 7B-147 , DATED 08/17/1965, 08/17/1965, 08/15/1942, 08/15/1942 , APPEARS TO INDICATE 2728.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164125-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JUNE 1, 1902

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.25 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 1,107.00

Source Name: SAGE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWNW	15	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: INABNIT-PETERSON DITCH

Period of Use: MAY 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00		SESE	31	6S	14W	BEAVERHEAD
2	83.00		S2S2	32	6S	14W	BEAVERHEAD
3	2.00		SWSW	3	7S	14W	BEAVERHEAD
4	196.00			4	7S	14W	BEAVERHEAD
5	324.00			5	7S	14W	BEAVERHEAD
6	417.00			9	7S	14W	BEAVERHEAD
7	23.00		W2W2	10	7S	14W	BEAVERHEAD
8	3.00		SWNW	15	7S	14W	BEAVERHEAD
9	39.00		NE	16	7S	14W	BEAVERHEAD
Total:	1,107.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164064-00 164067-00 164068-00 164069-00 164100-00 164122-00 164123-00
 164125-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 164125-00, 215371-00, 215372-00.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-17, CXM 7B-84 , DATED 08/01/1965, 08/15/1942 , APPEARS TO INDICATE 1020.60 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164126-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

SPENCO LLC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3170

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: AUGUST 30, 1907

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 192.98 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 2,985.00

Source Name: FOX CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNE	12	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NWSESE	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
3		NESWNW	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: UPPER FOX CREEK DITCH						
4		SWSESE	33	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: TEBO DITCH NO. 13						
5		SWNENE	31	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Period of Use: MAY 1 TO OCTOBER 19						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	351.00			27	6S	14W	BEAVERHEAD	
2	294.00			28	6S	14W	BEAVERHEAD	
3	255.00			29	6S	14W	BEAVERHEAD	
4	73.00		SE	30	6S	14W	BEAVERHEAD	
5	49.00		NE	31	6S	14W	BEAVERHEAD	
6	307.00			32	6S	14W	BEAVERHEAD	
7	500.00			33	6S	14W	BEAVERHEAD	
8	575.00			34	6S	14W	BEAVERHEAD	
9	62.00		W2W2	35	6S	14W	BEAVERHEAD	
10	227.00			2	7S	14W	BEAVERHEAD	
11	292.00			3	7S	14W	BEAVERHEAD	
Total:		2,985.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

- 164119-00 164120-00 164121-00 164124-00 164126-00 164130-00 164131-00
- 164132-00 164133-00 164134-00 164135-00 164137-00 164138-00 164140-00
- 164141-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-18, 879-247 , DATED 09/18/1979 , APPEARS TO INDICATE 2679.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-17, CXM 8FF-61, CXM 7B-84, CXM 7B-147 , DATED 08/17/1965, 08/17/1965, 08/15/1942, 08/15/1942 , APPEARS TO INDICATE 2728.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164127-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SPENCO LLC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3170

Priority Date: JUNE 1, 1905

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.13 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 177.00

***Source Name:** SAWMILL CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSE	30	6S	14W	BEAVERHEAD

Diversion Means: HEADGATE

WATER RELEASED FROM SAWMILL CREEK USES GOVERNOR CREEK AS A NATURAL CARRIER TO CONVEY WATER TO A SECONDARY POINT OF DIVERSION IN THE SWSENE SEC 30 TWP 6S RGE 14W BEAVERHEAD COUNTY.

Period of Use: MAY 1 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	112.00		SE	19	6S	14W	BEAVERHEAD
2	65.00		NE	30	6S	14W	BEAVERHEAD
Total:	177.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164056-00	164077-00	164078-00	164079-00	164080-00	164081-00	164082-00
164083-00	164084-00	164085-00	164086-00	164087-00	164088-00	164089-00
164090-00	164091-00	164092-00	164093-00	164094-00	164095-00	164096-00
164097-00	164098-00	164127-00				

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

164127-00 164147-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

AERIAL PHOTOGRAPH NO(S). CXM-5FF-15 , DATED 08/17/65 , APPEARS TO INDICATE 148.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164128-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JUNE 15, 1895

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.88 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 371.00

***Source Name:** PINE CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENE	29	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		NWNWSE	17	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		NESWSE	17	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
Period of Use:	MAY 1 TO OCTOBER 19					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	138.00			8	7S	14W	BEAVERHEAD	
2	134.00			E2	17	7S	14W	BEAVERHEAD
3	13.00		E2E2NW	17	7S	14W	BEAVERHEAD	
4	86.00			E2	20	7S	14W	BEAVERHEAD
Total:	371.00							

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164128-00 164129-00 164136-00 164139-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-18, 979-20 , DATED 09/19/1979 , APPEARS TO INDICATE 272.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 7B-77, CXM 7B-78 , DATED 08/14/1942 , APPEARS TO INDICATE 305.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164129-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: MAY 10, 1895

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 371.00

***Source Name:** PINE CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENE	29	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		NWNWSE	17	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		NESWSE	17	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
Period of Use:	MAY 1 TO OCTOBER 19					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	138.00			8	7S	14W	BEAVERHEAD	
2	134.00			E2	17	7S	14W	BEAVERHEAD
3	13.00		E2E2NW	17	7S	14W	BEAVERHEAD	
4	86.00			E2	20	7S	14W	BEAVERHEAD
Total:	371.00							

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164128-00 164129-00 164136-00 164139-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

164129-00 164143-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-18, 979-20 , DATED 09/19/1979 , APPEARS TO INDICATE 272.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 7B-77, CXM 7B-78 , DATED 08/14/1942 , APPEARS TO INDICATE 305.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164130-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

SPENCO LLC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3170

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: JULY 24, 1908

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 6.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 2,985.00

Source Name: FOX CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNE	12	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NWSESE	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
3		NESWNW	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: UPPER FOX CREEK DITCH						
4		SWSESE	33	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: TEBO DITCH NO. 13						
5		SWNENE	31	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Period of Use: MAY 1 TO OCTOBER 19						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	351.00			27	6S	14W	BEAVERHEAD	
2	294.00			28	6S	14W	BEAVERHEAD	
3	255.00			29	6S	14W	BEAVERHEAD	
4	73.00		SE	30	6S	14W	BEAVERHEAD	
5	49.00		NE	31	6S	14W	BEAVERHEAD	
6	307.00			32	6S	14W	BEAVERHEAD	
7	500.00			33	6S	14W	BEAVERHEAD	
8	575.00			34	6S	14W	BEAVERHEAD	
9	62.00		W2W2	35	6S	14W	BEAVERHEAD	
10	227.00			2	7S	14W	BEAVERHEAD	
11	292.00			3	7S	14W	BEAVERHEAD	
Total:		2,985.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

- 164119-00 164120-00 164121-00 164124-00 164126-00 164130-00 164131-00
- 164132-00 164133-00 164134-00 164135-00 164137-00 164138-00 164140-00
- 164141-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-18, 879-247 , DATED 09/18/1979 , APPEARS TO INDICATE 2679.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-17, CXM 8FF-61, CXM 7B-84, CXM 7B-147 , DATED 08/17/1965, 08/17/1965, 08/15/1942, 08/15/1942 , APPEARS TO INDICATE 2728.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164131-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

SPENCO LLC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3170

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: JUNE 2, 1908

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 5.25 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 2,985.00

Source Name: FOX CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNE	12	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NWSESE	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
3		NESWNW	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: UPPER FOX CREEK DITCH						
4		SWSESE	33	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: TEBO DITCH NO. 13						
5		SWNENE	31	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Period of Use: MAY 1 TO OCTOBER 19						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	351.00			27	6S	14W	BEAVERHEAD	
2	294.00			28	6S	14W	BEAVERHEAD	
3	255.00			29	6S	14W	BEAVERHEAD	
4	73.00		SE	30	6S	14W	BEAVERHEAD	
5	49.00		NE	31	6S	14W	BEAVERHEAD	
6	307.00			32	6S	14W	BEAVERHEAD	
7	500.00			33	6S	14W	BEAVERHEAD	
8	575.00			34	6S	14W	BEAVERHEAD	
9	62.00		W2W2	35	6S	14W	BEAVERHEAD	
10	227.00			2	7S	14W	BEAVERHEAD	
11	292.00			3	7S	14W	BEAVERHEAD	
Total:		2,985.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

- 164119-00 164120-00 164121-00 164124-00 164126-00 164130-00 164131-00
- 164132-00 164133-00 164134-00 164135-00 164137-00 164138-00 164140-00
- 164141-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-18, 879-247 , DATED 09/18/1979 , APPEARS TO INDICATE 2679.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-17, CXM 8FF-61, CXM 7B-84, CXM 7B-147 , DATED 08/17/1965, 08/17/1965, 08/15/1942, 08/15/1942 , APPEARS TO INDICATE 2728.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164132-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

SPENCO LLC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3170

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: JULY 24, 1908

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 3.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 2,985.00

Source Name: FOX CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNE	12	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NWSESE	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
3		NESWNW	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: UPPER FOX CREEK DITCH						
4		SWSESE	33	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: TEBO DITCH NO. 13						
5		SWNENE	31	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Period of Use: MAY 1 TO OCTOBER 19						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	351.00			27	6S	14W	BEAVERHEAD	
2	294.00			28	6S	14W	BEAVERHEAD	
3	255.00			29	6S	14W	BEAVERHEAD	
4	73.00		SE	30	6S	14W	BEAVERHEAD	
5	49.00		NE	31	6S	14W	BEAVERHEAD	
6	307.00			32	6S	14W	BEAVERHEAD	
7	500.00			33	6S	14W	BEAVERHEAD	
8	575.00			34	6S	14W	BEAVERHEAD	
9	62.00		W2W2	35	6S	14W	BEAVERHEAD	
10	227.00			2	7S	14W	BEAVERHEAD	
11	292.00			3	7S	14W	BEAVERHEAD	
Total:		2,985.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

- 164119-00 164120-00 164121-00 164124-00 164126-00 164130-00 164131-00
- 164132-00 164133-00 164134-00 164135-00 164137-00 164138-00 164140-00
- 164141-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-18, 879-247 , DATED 09/18/1979 , APPEARS TO INDICATE 2679.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-17, CXM 8FF-61, CXM 7B-84, CXM 7B-147 , DATED 08/17/1965, 08/17/1965, 08/15/1942, 08/15/1942 , APPEARS TO INDICATE 2728.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164133-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

SPENCO LLC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3170

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: OCTOBER 2, 1909

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 6.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 2,985.00

Source Name: FOX CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNE	12	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NWSESE	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
3		NESWNW	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: UPPER FOX CREEK DITCH						
4		SWSESE	33	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: TEBO DITCH NO. 13						
5		SWNENE	31	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Period of Use: MAY 1 TO OCTOBER 19						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	351.00			27	6S	14W	BEAVERHEAD	
2	294.00			28	6S	14W	BEAVERHEAD	
3	255.00			29	6S	14W	BEAVERHEAD	
4	73.00		SE	30	6S	14W	BEAVERHEAD	
5	49.00		NE	31	6S	14W	BEAVERHEAD	
6	307.00			32	6S	14W	BEAVERHEAD	
7	500.00			33	6S	14W	BEAVERHEAD	
8	575.00			34	6S	14W	BEAVERHEAD	
9	62.00		W2W2	35	6S	14W	BEAVERHEAD	
10	227.00			2	7S	14W	BEAVERHEAD	
11	292.00			3	7S	14W	BEAVERHEAD	
Total:		2,985.00						

Remarks:

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- 164132-00 164133-00 164134-00 164135-00 164137-00 164138-00 164140-00
- 164141-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-18, 879-247 , DATED 09/18/1979 , APPEARS TO INDICATE 2679.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-17, CXM 8FF-61, CXM 7B-84, CXM 7B-147 , DATED 08/17/1965, 08/17/1965, 08/15/1942, 08/15/1942 , APPEARS TO INDICATE 2728.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164134-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

SPENCO LLC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3170

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: OCTOBER 2, 1909

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 3.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 2,985.00

Source Name: FOX CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNE	12	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NWSESE	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
3		NESWNW	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: UPPER FOX CREEK DITCH						
4		SWSESE	33	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: TEBO DITCH NO. 13						
5		SWNENE	31	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Period of Use: MAY 1 TO OCTOBER 19						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	351.00			27	6S	14W	BEAVERHEAD	
2	294.00			28	6S	14W	BEAVERHEAD	
3	255.00			29	6S	14W	BEAVERHEAD	
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5	49.00		NE	31	6S	14W	BEAVERHEAD	
6	307.00			32	6S	14W	BEAVERHEAD	
7	500.00			33	6S	14W	BEAVERHEAD	
8	575.00			34	6S	14W	BEAVERHEAD	
9	62.00		W2W2	35	6S	14W	BEAVERHEAD	
10	227.00			2	7S	14W	BEAVERHEAD	
11	292.00			3	7S	14W	BEAVERHEAD	
Total:		2,985.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

- 164119-00 164120-00 164121-00 164124-00 164126-00 164130-00 164131-00
- 164132-00 164133-00 164134-00 164135-00 164137-00 164138-00 164140-00
- 164141-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-18, 879-247 , DATED 09/18/1979 , APPEARS TO INDICATE 2679.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-17, CXM 8FF-61, CXM 7B-84, CXM 7B-147 , DATED 08/17/1965, 08/17/1965, 08/15/1942, 08/15/1942 , APPEARS TO INDICATE 2728.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164135-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

SPENCO LLC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3170

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: JUNE 7, 1897

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 7.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 2,985.00

Source Name: FOX CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNE	12	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NWSESE	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
3		NESWNW	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: UPPER FOX CREEK DITCH						
4		SWSESE	33	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: TEBO DITCH NO. 13						
5		SWNENE	31	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Period of Use: MAY 1 TO OCTOBER 19						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	351.00			27	6S	14W	BEAVERHEAD	
2	294.00			28	6S	14W	BEAVERHEAD	
3	255.00			29	6S	14W	BEAVERHEAD	
4	73.00		SE	30	6S	14W	BEAVERHEAD	
5	49.00		NE	31	6S	14W	BEAVERHEAD	
6	307.00			32	6S	14W	BEAVERHEAD	
7	500.00			33	6S	14W	BEAVERHEAD	
8	575.00			34	6S	14W	BEAVERHEAD	
9	62.00		W2W2	35	6S	14W	BEAVERHEAD	
10	227.00			2	7S	14W	BEAVERHEAD	
11	292.00			3	7S	14W	BEAVERHEAD	
Total:		2,985.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

- 164119-00 164120-00 164121-00 164124-00 164126-00 164130-00 164131-00
- 164132-00 164133-00 164134-00 164135-00 164137-00 164138-00 164140-00
- 164141-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

- 164135-00 164149-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-18, 879-247 , DATED 09/18/1979 , APPEARS TO INDICATE 2679.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-17, CXM 8FF-61, CXM 7B-84, CXM 7B-147 , DATED 08/17/1965, 08/17/1965, 08/15/1942, 08/15/1942 , APPEARS TO INDICATE 2728.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164136-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: MAY 31, 1897

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.48 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 371.00

***Source Name:** PINE CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENE	29	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		NWNWSE	17	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		NESWSE	17	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
Period of Use:	MAY 1 TO OCTOBER 19					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	138.00			8	7S	14W	BEAVERHEAD
2	134.00		E2	17	7S	14W	BEAVERHEAD
3	13.00		E2E2NW	17	7S	14W	BEAVERHEAD
4	86.00		E2	20	7S	14W	BEAVERHEAD
Total:	371.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164128-00 164129-00 164136-00 164139-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-18, 979-20 , DATED 09/19/1979 , APPEARS TO INDICATE 272.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 7B-77, CXM 7B-78 , DATED 08/14/1942 , APPEARS TO INDICATE 305.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164137-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

SPENCO LLC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3170

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: JUNE 15, 1897

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.13 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 2,985.00

Source Name: FOX CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNE	12	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NWSESE	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
3		NESWNW	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: UPPER FOX CREEK DITCH						
4		SWSESE	33	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: TEBO DITCH NO. 13						
5		SWNENE	31	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Period of Use: MAY 1 TO OCTOBER 19						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	351.00			27	6S	14W	BEAVERHEAD	
2	294.00			28	6S	14W	BEAVERHEAD	
3	255.00			29	6S	14W	BEAVERHEAD	
4	73.00		SE	30	6S	14W	BEAVERHEAD	
5	49.00		NE	31	6S	14W	BEAVERHEAD	
6	307.00			32	6S	14W	BEAVERHEAD	
7	500.00			33	6S	14W	BEAVERHEAD	
8	575.00			34	6S	14W	BEAVERHEAD	
9	62.00		W2W2	35	6S	14W	BEAVERHEAD	
10	227.00			2	7S	14W	BEAVERHEAD	
11	292.00			3	7S	14W	BEAVERHEAD	
Total:		2,985.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

- 164119-00 164120-00 164121-00 164124-00 164126-00 164130-00 164131-00
- 164132-00 164133-00 164134-00 164135-00 164137-00 164138-00 164140-00
- 164141-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-18, 879-247 , DATED 09/18/1979 , APPEARS TO INDICATE 2679.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-17, CXM 8FF-61, CXM 7B-84, CXM 7B-147 , DATED 08/17/1965, 08/17/1965, 08/15/1942, 08/15/1942 , APPEARS TO INDICATE 2728.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164138-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

SPENCO LLC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3170

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: APRIL 23, 1898

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.03 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 2,985.00

Source Name: FOX CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNE	12	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NWSESE	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
3		NESWNW	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: UPPER FOX CREEK DITCH						
4		SWSESE	33	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: TEBO DITCH NO. 13						
5		SWNENE	31	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Period of Use: MAY 1 TO OCTOBER 19						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	351.00			27	6S	14W	BEAVERHEAD	
2	294.00			28	6S	14W	BEAVERHEAD	
3	255.00			29	6S	14W	BEAVERHEAD	
4	73.00		SE	30	6S	14W	BEAVERHEAD	
5	49.00		NE	31	6S	14W	BEAVERHEAD	
6	307.00			32	6S	14W	BEAVERHEAD	
7	500.00			33	6S	14W	BEAVERHEAD	
8	575.00			34	6S	14W	BEAVERHEAD	
9	62.00		W2W2	35	6S	14W	BEAVERHEAD	
10	227.00			2	7S	14W	BEAVERHEAD	
11	292.00			3	7S	14W	BEAVERHEAD	
Total:		2,985.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

- 164119-00 164120-00 164121-00 164124-00 164126-00 164130-00 164131-00
- 164132-00 164133-00 164134-00 164135-00 164137-00 164138-00 164140-00
- 164141-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-18, 879-247 , DATED 09/18/1979 , APPEARS TO INDICATE 2679.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-17, CXM 8FF-61, CXM 7B-84, CXM 7B-147 , DATED 08/17/1965, 08/17/1965, 08/15/1942, 08/15/1942 , APPEARS TO INDICATE 2728.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164139-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: MAY 20, 1896

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 3.25 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 371.00

***Source Name:** PINE CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENE	29	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		NWNWSE	17	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		NESWSE	17	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
Period of Use:	MAY 1 TO OCTOBER 19					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	138.00			8	7S	14W	BEAVERHEAD
2	134.00		E2	17	7S	14W	BEAVERHEAD
3	13.00		E2E2NW	17	7S	14W	BEAVERHEAD
4	86.00		E2	20	7S	14W	BEAVERHEAD
Total:	371.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

164128-00 164129-00 164136-00 164139-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-18, 979-20 , DATED 09/19/1979 , APPEARS TO INDICATE 272.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 7B-77, CXM 7B-78 , DATED 08/14/1942 , APPEARS TO INDICATE 305.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164140-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

SPENCO LLC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3170

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: SEPTEMBER 6, 1916

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 6.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 2,985.00

Source Name: FOX CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNE	12	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NWSESE	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
3		NESWNW	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: UPPER FOX CREEK DITCH						
4		SWSESE	33	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: TEBO DITCH NO. 13						
5		SWNENE	31	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Period of Use: MAY 1 TO OCTOBER 19						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	351.00			27	6S	14W	BEAVERHEAD	
2	294.00			28	6S	14W	BEAVERHEAD	
3	255.00			29	6S	14W	BEAVERHEAD	
4	73.00		SE	30	6S	14W	BEAVERHEAD	
5	49.00		NE	31	6S	14W	BEAVERHEAD	
6	307.00			32	6S	14W	BEAVERHEAD	
7	500.00			33	6S	14W	BEAVERHEAD	
8	575.00			34	6S	14W	BEAVERHEAD	
9	62.00		W2W2	35	6S	14W	BEAVERHEAD	
10	227.00			2	7S	14W	BEAVERHEAD	
11	292.00			3	7S	14W	BEAVERHEAD	
Total:		2,985.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

- 164119-00 164120-00 164121-00 164124-00 164126-00 164130-00 164131-00
- 164132-00 164133-00 164134-00 164135-00 164137-00 164138-00 164140-00
- 164141-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-18, 879-247 , DATED 09/18/1979 , APPEARS TO INDICATE 2679.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-17, CXM 8FF-61, CXM 7B-84, CXM 7B-147 , DATED 08/17/1965, 08/17/1965, 08/15/1942, 08/15/1942 , APPEARS TO INDICATE 2728.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164141-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

SPENCO LLC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3170

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: SEPTEMBER 6, 1916

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 6.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 2,985.00

Source Name: FOX CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNE	12	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NWSESE	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
3		NESWNW	2	7S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: UPPER FOX CREEK DITCH						
4		SWSESE	33	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: TEBO DITCH NO. 13						
5		SWNENE	31	6S	14W	BEAVERHEAD
Diversion Means: HEADGATE						
Period of Use: MAY 1 TO OCTOBER 19						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	351.00			27	6S	14W	BEAVERHEAD	
2	294.00			28	6S	14W	BEAVERHEAD	
3	255.00			29	6S	14W	BEAVERHEAD	
4	73.00		SE	30	6S	14W	BEAVERHEAD	
5	49.00		NE	31	6S	14W	BEAVERHEAD	
6	307.00			32	6S	14W	BEAVERHEAD	
7	500.00			33	6S	14W	BEAVERHEAD	
8	575.00			34	6S	14W	BEAVERHEAD	
9	62.00		W2W2	35	6S	14W	BEAVERHEAD	
10	227.00			2	7S	14W	BEAVERHEAD	
11	292.00			3	7S	14W	BEAVERHEAD	
Total:		2,985.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

- 164119-00 164120-00 164121-00 164124-00 164126-00 164130-00 164131-00
- 164132-00 164133-00 164134-00 164135-00 164137-00 164138-00 164140-00
- 164141-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/02/1998: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-18, 879-247 , DATED 09/18/1979 , APPEARS TO INDICATE 2679.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 5FF-17, CXM 8FF-61, CXM 7B-84, CXM 7B-147 , DATED 08/17/1965, 08/17/1965, 08/15/1942, 08/15/1942 , APPEARS TO INDICATE 2728.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164142-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JUNE 1, 1895

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** ANDRUS CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			4	7S	14W	BEAVERHEAD
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
2			5	7S	14W	BEAVERHEAD
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
3		S2NESE	6	7S	14W	BEAVERHEAD
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
4		E2	8	7S	14W	BEAVERHEAD
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5			9	7S	14W	BEAVERHEAD
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
6		W2W2W2	10	7S	14W	BEAVERHEAD
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
7		W2SWNW	15	7S	14W	BEAVERHEAD
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
8			16	7S	14W	BEAVERHEAD
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
9		E2E2	17	7S	14W	BEAVERHEAD
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
10		NENE	20	7S	14W	BEAVERHEAD
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
11		SWSWNE	21	7S	14W	BEAVERHEAD
	Diversion Means: HEADGATE					
12			21	7S	14W	BEAVERHEAD
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
13		S2	22	7S	14W	BEAVERHEAD
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
14		NWSESW	22	7S	14W	BEAVERHEAD
	Diversion Means: DIVERSION DAM					

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1				4	7S	14W	BEAVERHEAD
2				5	7S	14W	BEAVERHEAD
3			S2NENE	6	7S	14W	BEAVERHEAD
4			E2	8	7S	14W	BEAVERHEAD
5				9	7S	14W	BEAVERHEAD
6			W2W2W2	10	7S	14W	BEAVERHEAD
7			W2SWNW	15	7S	14W	BEAVERHEAD
8				16	7S	14W	BEAVERHEAD
9			E2E2	17	7S	14W	BEAVERHEAD
10			NENE	20	7S	14W	BEAVERHEAD
11				21	7S	14W	BEAVERHEAD
12			S2	22	7S	14W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

164067-00 164142-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164143-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: MAY 10, 1895

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** PINE CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		W2E2	8	7S	14W	BEAVERHEAD	
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2		SWSESE	8	7S	14W	BEAVERHEAD	
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3		E2SW	8	7S	14W	BEAVERHEAD	
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
4		E2	17	7S	14W	BEAVERHEAD	
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5		E2	E2NW	17	7S 14W	BEAVERHEAD
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
6			NWNWSE	17	7S 14W	BEAVERHEAD
Diversion Means: HEADGATE						
7			NESWSE	17	7S 14W	BEAVERHEAD
Diversion Means: HEADGATE						
8		E2		20	7S 14W	BEAVERHEAD
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
9			SWSWNW	21	7S 14W	BEAVERHEAD
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
10			W2NWSW	21	7S 14W	BEAVERHEAD
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
11			NENENE	29	7S 14W	BEAVERHEAD
Diversion Means: HEADGATE						

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2	E2	8	7S 14W	BEAVERHEAD
2			SW	SESE	8	7S 14W	BEAVERHEAD
3			E2	SW	8	7S 14W	BEAVERHEAD
4			E2		17	7S 14W	BEAVERHEAD
5			E2	E2NW	17	7S 14W	BEAVERHEAD
6			E2		20	7S 14W	BEAVERHEAD
7			SW	SWNW	21	7S 14W	BEAVERHEAD
8			W2	NWSW	21	7S 14W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

164129-00 164143-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164144-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

SPENCO LLC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3170

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: JUNE 1, 1888

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** GOVERNOR CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENSW	19	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NESWNW	19	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		SENESE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
4		SWNWSE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 11				
5		NENENE	18	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	W. H. KUNNEY DITCH NO. 10				
6		SESWNW	8	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
7		SWSENE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	GIST DITCH NO. 8				
8		NENESE	30	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	MAIN JACKSON DITCH				
9		SENESE	19	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
10		NESWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
11		NWSWNE	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
12		SWNWSW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
13		SESESW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
14		NENENW	17	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
15		SENWSW	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
16		SWSWNE	8	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
17		NWNWNW	20	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	DAVIS DITCH				
18		N2	19	7S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
19		E2	18	7S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
20		SW	18	7S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
21		W2	17	7S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
22		SE	7	7S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
23		W2	8	7S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
24		E2SE	6	7S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
25		E2	30	6S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
26		N2	29	6S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
27		S2NW	28	6S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
28			20	6S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
29		W2SE	19	6S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
30		E2E2	19	6S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
31			21	6S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
32		E2E2	18	6S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
33			17	6S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
34		E2E2	7	6S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
35			8	6S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
36		SW	5	6S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
37		E2SE	6	6S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SW	5	6S	14W	BEAVERHEAD
2			E2SE	6	6S	14W	BEAVERHEAD
3			E2E2	7	6S	14W	BEAVERHEAD
4				8	6S	14W	BEAVERHEAD
5				17	6S	14W	BEAVERHEAD
6			E2E2	18	6S	14W	BEAVERHEAD
7			E2E2	19	6S	14W	BEAVERHEAD
8			W2SE	19	6S	14W	BEAVERHEAD
9				20	6S	14W	BEAVERHEAD
10				21	6S	14W	BEAVERHEAD
11			S2NW	28	6S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
12		N2	29	6S	14W	BEAVERHEAD
13		E2	30	6S	14W	BEAVERHEAD
14		E2SE	6	7S	14W	BEAVERHEAD
15		SE	7	7S	14W	BEAVERHEAD
16		W2	8	7S	14W	BEAVERHEAD
17		W2	17	7S	14W	BEAVERHEAD
18		E2	18	7S	14W	BEAVERHEAD
19		SW	18	7S	14W	BEAVERHEAD
20		N2	19	7S	14W	BEAVERHEAD
21		NENESW	19	7S	14W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

164056-00 164144-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164145-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: MAY 16, 1910

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BULL CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSW	1	6S	14W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2N2	22	6S	14W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

164074-00 164145-00

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 12/02/1998.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 240 MINER'S INCHES DECREED IN CASE NO. 1514 , BEAVERHEAD COUNTY. 164074-00, 164145-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164146-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: MAY 25, 1910

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: COW CABIN CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N2	23	6S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		NESWNE	23	6S	14W	BEAVERHEAD
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Diversion Means: HEADGATE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2	23	6S	14W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

164073-00 164146-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164147-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: JUNE 1, 1905

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SAWMILL CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		W2SE	30	6S	14W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			W2SE	30	6S	14W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

164127-00 164147-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164148-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: MAY 20, 1898

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SAGE CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2S2	32	6S	14W	BEAVERHEAD
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2		SWSWSW	3	7S	14W	BEAVERHEAD
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3			4	7S	14W	BEAVERHEAD
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
4			5	7S	14W	BEAVERHEAD
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5		E2	NENE 9	7S	14W	BEAVERHEAD
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
6		S2	9	7S	14W	BEAVERHEAD
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
7		W2	W2W2 10	7S	14W	BEAVERHEAD
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
8		N2	15	7S	14W	BEAVERHEAD
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
9		NE	16	7S	14W	BEAVERHEAD
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
Period of Use: JANUARY 1 TO DECEMBER 31						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2	S2 32	6S	14W	BEAVERHEAD
2			S	W2 3	7S	14W	BEAVERHEAD
3				4	7S	14W	BEAVERHEAD
4				5	7S	14W	BEAVERHEAD
5			E2	NENE 9	7S	14W	BEAVERHEAD
6			S2	9	7S	14W	BEAVERHEAD
7			W2	W2W2 10	7S	14W	BEAVERHEAD
8			N2	15	7S	14W	BEAVERHEAD
9			NE	16	7S	14W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

164122-00 164148-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. 164148-00, 215371-00, 215372-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164149-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

SPENCO LLC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3170

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: JUNE 7, 1897

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** FOX CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N	SWNE	12	7S	14W	BEAVERHEAD

Diversion Means: HEADGATE

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
2		NWSESE	2	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		NESWNW	2	7S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
4		SWSESE	33	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
5		SWNENE	31	6S	14W	BEAVERHEAD
	Diversion Means:	HEADGATE				
6			28	6S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
7		S2	29	6S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
8		SE	30	6S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
9		E2	31	6S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
10			32	6S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
11			33	6S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
12			34	6S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
13		NW	2	7S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
14		S2	2	7S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
15		N2	3	7S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
16		SE	3	7S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
17		N2N2	4	7S	14W	BEAVERHEAD
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1				28	6S	14W	BEAVERHEAD
2			S2	29	6S	14W	BEAVERHEAD
3			SE	30	6S	14W	BEAVERHEAD
4			E2	31	6S	14W	BEAVERHEAD
5				32	6S	14W	BEAVERHEAD
6				33	6S	14W	BEAVERHEAD
7				34	6S	14W	BEAVERHEAD
8			NW	2	7S	14W	BEAVERHEAD
9			S2	2	7S	14W	BEAVERHEAD
10			N2	3	7S	14W	BEAVERHEAD
11			SE	3	7S	14W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
12			N2N2	4	7S	14W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

164135-00 164149-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 164150-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HAIRPIN LC
% JAKE JENKINS
9075 S 1300 E STE 101
SANDY, UT 84094 3134

Priority Date: MAY 25, 1910

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: LANCEY CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	16	6S	14W	BEAVERHEAD	
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2		NE	21	6S	14W	BEAVERHEAD	
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3		SW	22	6S	14W	BEAVERHEAD	
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
4		SWSE	26	6S	14W	BEAVERHEAD	
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5		W2	26	6S	14W	BEAVERHEAD
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
6		N2	27	6S	14W	BEAVERHEAD
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
Period of Use: JANUARY 1 TO DECEMBER 4						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SE	16	6S	14W	BEAVERHEAD
2			NE	21	6S	14W	BEAVERHEAD
3			SW	22	6S	14W	BEAVERHEAD
4			SWSE	26	6S	14W	BEAVERHEAD
5			W2	26	6S	14W	BEAVERHEAD
6			N2	27	6S	14W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

164063-00 164150-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 167132-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAWNA L WILKINSON
PO BOX 159
WISE RIVER, MT 59762 0159

MICHAEL E WILKINSON
PO BOX 159
WISE RIVER, MT 59762 0159

Priority Date: MAY 15, 1959

Type of Historical Right: FILED

***Purpose(use):** LAWN AND GARDEN

Flow Rate: 22.44 GPM

Volume: 0.25 AC-FT

Maximum Acres: 0.25

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	8	SESESW	31	1N	10W	BEAVERHEAD

Diversion Means: PUMP

Period of Use: MAY 15 TO SEPTEMBER 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	0.25	8	SESESW	31	1N	10W	BEAVERHEAD

Total: 0.25

Remarks:

THE VOLUME WAS AMENDED BY THE CLAIMANT ON 09/19/1991.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 169212-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: USA (DEPT OF AGRICULTURE FOREST SERVICE)
PO BOX 7669
MISSOULA, MT 59807 7669

Priority Date: NOVEMBER 5, 1906

CLAIM FILED 11/26/82 . THIS IS AN EXEMPT RIGHT VOLUNTARILY FILED UNDER SECTION 85-2-222, MCA.

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF QUEENS GULCH

Source Type: SURFACE WATER

ALSO KNOWN AS QUEEN HILL SPRING

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNW	15	2S	11W	BEAVERHEAD

Diversion Means: SPRING BOX

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNWNW	15	2S	11W	BEAVERHEAD

Remarks:

THE SOURCE, PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 10/26/1995.

THE TOWNSHIP IS UNSURVEYED. THE LEGAL LAND DESCRIPTION HAS BEEN ESTIMATED.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE CANNOT BE CONFIRMED DUE TO A LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 169213-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: USA (DEPT OF AGRICULTURE FOREST SERVICE)
PO BOX 7669
MISSOULA, MT 59807 7669

Priority Date: NOVEMBER 5, 1906

CLAIM FILED 11/26/82 . THIS IS AN EXEMPT RIGHT VOLUNTARILY FILED UNDER SECTION 85-2-222, MCA.

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF CANYON CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS MUD SPRING

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWNE	8	2S	10W	BEAVERHEAD

Diversion Means: SPRING BOX

Period of Use: JUNE 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENWNE	8	2S	10W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 169214-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: USA (DEPT OF AGRICULTURE FOREST SERVICE)
PO BOX 7669
MISSOULA, MT 59807 7669

Priority Date: NOVEMBER 5, 1906

CLAIM FILED 11/26/82 . THIS IS AN EXEMPT RIGHT VOLUNTARILY FILED UNDER SECTION 85-2-222, MCA.

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF CATTLE GULCH

Source Type: SURFACE WATER

ALSO KNOWN AS L CATTLE GULCH SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSW	21	2S	10W	BEAVERHEAD

Diversion Means: SPRING BOX

Period of Use: JUNE 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSWNE	2	2S	10W	BEAVERHEAD

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/09/1993: POINT OF DIVERSION, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE SOURCE, POINT OF DIVERSION AND PLACE OF USE CANNOT BE CONFIRMED FROM DATA SUBMITTED WITH THE CLAIM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 169215-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: USA (DEPT OF AGRICULTURE FOREST SERVICE)
PO BOX 7669
MISSOULA, MT 59807 7669

Priority Date: NOVEMBER 5, 1906
CLAIM FILED 11/26/82 . THIS IS AN EXEMPT RIGHT VOLUNTARILY FILED UNDER SECTION 85-2-222, MCA.

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF CATTLE GULCH
Source Type: SURFACE WATER
ALSO KNOWN AS LOWER CATTLE GULCH SPRING

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSE	2	2S	10W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JUNE 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSE	2	2S	10W	BEAVERHEAD

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE DUPLICATE FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

169215-00 53876-00

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 169216-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: USA (DEPT OF AGRICULTURE FOREST SERVICE)
PO BOX 7669
MISSOULA, MT 59807 7669

Priority Date: NOVEMBER 5, 1906
CLAIM FILED 11/26/82 . THIS IS AN EXEMPT RIGHT VOLUNTARILY FILED UNDER SECTION 85-2-222, MCA.

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF LIMEKILN GULCH
Source Type: SURFACE WATER
ALSO KNOWN AS GRANITE SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNESW	17	1S	10W	BEAVERHEAD

Diversion Means: SPRING BOX

Period of Use: JUNE 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNESW	17	1S	10W	BEAVERHEAD

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE DUPLICATE FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

169216-00 53832-00

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 169217-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: USA (DEPT OF AGRICULTURE FOREST SERVICE)
PO BOX 7669
MISSOULA, MT 59807 7669

Priority Date: NOVEMBER 5, 1906
CLAIM FILED 11/26/82 . THIS IS AN EXEMPT RIGHT VOLUNTARILY FILED UNDER SECTION 85-2-222, MCA.

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF LIMEKILN GULCH
Source Type: SURFACE WATER
ALSO KNOWN AS LIMEKILN SPRING

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWSE	18	1S	10W	BEAVERHEAD

Diversion Means: SPRING BOX

Period of Use: JUNE 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESWSE	18	1S	10W	BEAVERHEAD

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE DUPLICATE FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

169217-00 53831-00

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 169218-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners: USA (DEPT OF AGRICULTURE FOREST SERVICE)
PO BOX 7669
MISSOULA, MT 59807 7669

Priority Date: JANUARY 1, 1954

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 11/26/82 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

Type of Historical Right: USE

Purpose(use): DOMESTIC

Flow Rate: 4.48 GPM

Volume: 2.20 AC-FT

Source Name: SPRING, UNNAMED TRIBUTARY OF GROUSE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWNW	10	2S	12W	BEAVERHEAD

Diversion Means: SPRING BOX

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENWNW	10	2S	12W	BEAVERHEAD

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/26/1995: MEANS OF DIVERSION, PERIOD OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$150.00.

CLAIM FILED LATE 11/26/82 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

THE CLAIMED VOLUME MAY BE EXCESSIVE FOR THE CLAIMED PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

THE CLAIMED VOLUME WAS NOT EXAMINED. THE CLAIMED NUMBER OF HOUSEHOLDS AND ACRES OF DOMESTIC IRRIGATION COULD NOT BE IDENTIFIED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 169219-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners: USA (DEPT OF AGRICULTURE FOREST SERVICE)
PO BOX 7669
MISSOULA, MT 59807 7669

Priority Date: JUNE 7, 1932

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 11/26/82 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

Type of Historical Right: USE

Purpose(use): DOMESTIC

Flow Rate: 8.98 GPM

Volume: 7.20 AC-FT

Source Name: BOULDER CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSESE	22	2S	12W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSESE	22	2S	12W	BEAVERHEAD

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE DUPLICATE FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

169219-00 169220-00 53729-00 53730-00

PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$150.00.

CLAIM FILED LATE 11/26/82 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

THE CLAIMED VOLUME MAY BE EXCESSIVE FOR THE CLAIMED PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

THE CLAIMED VOLUME WAS NOT EXAMINED. THE CLAIMED NUMBER OF HOUSEHOLDS AND ACRES OF DOMESTIC IRRIGATION COULD NOT BE IDENTIFIED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 169220-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners: USA (DEPT OF AGRICULTURE FOREST SERVICE)
PO BOX 7669
MISSOULA, MT 59807 7669

Priority Date: JUNE 7, 1932

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 11/26/82 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

Type of Historical Right: USE

Purpose(use): DOMESTIC

Flow Rate: 8.97 GPM

Volume: 1.50 AC-FT

Source Name: BOULDER CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSESE	22	2S	12W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSESE	22	2S	12W	BEAVERHEAD

Remarks:

THE VOLUME WAS AMENDED BY THE CLAIMANT ON 10/26/1995.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE DUPLICATE FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

169219-00 169220-00 53729-00 53730-00

PROCESSING FEE INSUFFICIENT TO COVER LATE CLAIM. TOTAL AMOUNT DUE \$150.00.

CLAIM FILED LATE 11/26/82 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

THE CLAIMED VOLUME MAY BE EXCESSIVE FOR THE CLAIMED PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

THE CLAIMED VOLUME WAS NOT EXAMINED. THE CLAIMED NUMBER OF HOUSEHOLDS AND ACRES OF DOMESTIC IRRIGATION COULD NOT BE IDENTIFIED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 169221-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

Late Claim: B

Owners: USA (DEPT OF AGRICULTURE FOREST SERVICE)
PO BOX 7669
MISSOULA, MT 59807 7669

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): DOMESTIC

Flow Rate:

Volume:

Source Name: BOULDER CREEK

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 10/26/1995.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 179257-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: SMITH 6 BAR S LIVESTOCK
PO BOX 320007
GLEN, MT 59732 0007

Priority Date: OCTOBER 28, 1901

Type of Historical Right: FILED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 224.40 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 35.00

Source Name: YOUNG SPRINGS

Source Type: SURFACE WATER
ALSO KNOWN AS YOUNG SPRINGS NO. 1

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNW	21	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	35.00		N2N2	21	4S	9W	BEAVERHEAD
Total:	35.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

179257-00 179258-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

179257-00 93667-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 10.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 179258-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SMITH 6 BAR S LIVESTOCK
PO BOX 320007
GLEN, MT 59732 0007

Priority Date: OCTOBER 28, 1901

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 224.40 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 35.00

Source Name: YOUNG SPRINGS

Source Type: SURFACE WATER

ALSO KNOWN AS YOUNG SPRINGS NO. 2

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWNW	21	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	35.00		N2N2	21	4S	9W	BEAVERHEAD

Total: 35.00

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

179257-00 179258-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

179258-00 93666-00

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 179257-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 10.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 179259-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SMITH 6 BAR S LIVESTOCK
PO BOX 320007
GLEN, MT 59732 0007

Priority Date: APRIL 1, 1880

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF FREEZEOUT GULCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N2NW	21	1N	9W	SILVER BOW

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2NW	21	1N	9W	SILVER BOW

Remarks:

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 93690-00.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 180962-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: RIEBER RANCH
PO BOX 320005
GLEN, MT 59732 0005

Priority Date: MAY 1, 1910

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 197.47 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 37.00

Source Name: ROCK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENESE	32	3S	9W	BEAVERHEAD

Diversion Means: HEADGATE

2		NENWSE	32	3S	9W	BEAVERHEAD
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Diversion Means: HEADGATE

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.00		SE	33	3S	9W	BEAVERHEAD
2	24.00		SW	33	3S	9W	BEAVERHEAD
3	3.00		NW	33	3S	9W	BEAVERHEAD
4	8.00		N2	33	3S	9W	BEAVERHEAD
Total:	37.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

143247-00 143248-00 143249-00 143250-00 143251-00 180962-00 180963-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 05/10/2001.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 180963-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: RIEBER RANCH
PO BOX 320005
GLEN, MT 59732 0005

Priority Date: DECEMBER 20, 1904

Type of Historical Right: DECREEED

Purpose(use): IRRIGATION
Irrigation Type: SPRINKLER/FLOOD

Flow Rate: 4.81 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 37.00

Source Name: ROCK CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	32	3S	9W	BEAVERHEAD
Diversion Means: HEADGATE						
2		NENESE	32	3S	9W	BEAVERHEAD
Diversion Means: HEADGATE						
Period of Use: APRIL 1 TO OCTOBER 31						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.00		SE	33	3S	9W	BEAVERHEAD
2	24.00		SW	33	3S	9W	BEAVERHEAD
3	3.00		NW	33	3S	9W	BEAVERHEAD
4	8.00		N2	33	3S	9W	BEAVERHEAD
Total:	37.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

143247-00 143248-00 143249-00 143250-00 143251-00 180962-00 180963-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 220 MINER'S INCHES DECREED IN CASE NO. 2632 , BEAVERHEAD COUNTY. 117635-00, 180963-00, 194314-00.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 58.00 GPM PER ACRE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182268-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DOOLING LIVESTOCK CO
PO BOX 842
JACKSON, MT 59736 0842

Priority Date: JULY 3, 1897

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 180.00

***Source Name:** SPRING, UNNAMED TRIBUTARY OF SAGINAW CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS MULKEY SPRING

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNE	10	7S	15W	BEAVERHEAD

Diversion Means: UNDEVELOPED SPRING

Period of Use: JUNE 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	80.00		W2NE	3	7S	15W	BEAVERHEAD
2	80.00		E2NW	3	7S	15W	BEAVERHEAD
3	10.00		N2NWSE	3	7S	15W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	10.00		N2N	2SW	3	7S	15W BEAVERHEAD
Total:	180.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

182268-00 214034-00 92766-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 9/12/1991.

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 92766-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 132575-00, 182268-00.

USDA AERIAL PHOTOGRAPH NO(S). 979-39 , DATED 09/19/1979 , APPEARS TO INDICATE 111.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 13P-6 , DATED 08/09/1955 , APPEARS TO INDICATE 147.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE SOURCE AND POINT OF DIVERSION DIFFER ON THE FOLLOWING CLAIMS, EVEN THOUGH THEY ARE BASED ON THE SAME FILED APPROPRIATION. 132575-00, 182268-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182269-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DOOLING LIVESTOCK CO
PO BOX 842
JACKSON, MT 59736 0842

Priority Date: JUNE 17, 1902

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 25.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 1,030.00

Source Name: BERRY CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS MULKEY CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	32	32	6S	15W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: BERRY CREEK DITCH

2		NE	29	29	6S	15W	BEAVERHEAD
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Diversion Means: HEADGATE

Period of Use: MAY 20 TO OCTOBER 24

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	380.00			20	6S	15W	BEAVERHEAD
2	200.00		W2	21	6S	15W	BEAVERHEAD
3	60.00		W2W2	28	6S	15W	BEAVERHEAD
4	380.00			29	6S	15W	BEAVERHEAD
5	10.00		N2NE	32	6S	15W	BEAVERHEAD
Total:	1,030.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

182269-00 182270-00 92756-00

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 12/05/2006.

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 92756-00.

A PORTION OF 41D 92754 OWNED BY DOOLING LIVESTOCK CO MAY BE SUPPLEMENTAL TO THIS CLAIM.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-39 , DATED 09/19/79 , APPEARS TO INDICATE 910.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182270-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DOOLING LIVESTOCK CO
PO BOX 842
JACKSON, MT 59736 0842

Priority Date: MAY 1, 1904

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 3.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 1,030.00

Source Name: BERRY CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS MULKEY CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	32	6S	15W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	BERRY CREEK DITCH				
2		NE	29	6S	15W	BEAVERHEAD
	Diversion Means:	HEADGATE				
Period of Use:	MAY 20 TO OCTOBER 24					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	380.00			20	6S	15W	BEAVERHEAD
2	200.00		W2	21	6S	15W	BEAVERHEAD
3	60.00		W2W2	28	6S	15W	BEAVERHEAD
4	380.00			29	6S	15W	BEAVERHEAD
5	10.00		N2NE	32	6S	15W	BEAVERHEAD
Total:	1,030.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

182269-00 182270-00 92756-00

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 12/05/2006.

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 92756-00.

A PORTION OF 41D 92754 OWNED BY DOOLING LIVESTOCK CO MAY BE SUPPLEMENTAL TO THIS CLAIM.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-39 , DATED 09/19/79 , APPEARS TO INDICATE 910.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182271-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

DIAMOND ONE RANCH INC
PO BOX 5043
NAPA, CA 94581 0043

DOOLING LIVESTOCK CO
PO BOX 842
JACKSON, MT 59736 0842

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: JULY 9, 1915

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 8.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 312.00

***Source Name:** BERRY CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS MULKEY CREEK

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S	W	SENE	1	7S 16W	BEAVERHEAD

Diversion Means: DIVERSION DAM

Ditch Name: UPPER BERRY CREEK DITCH

THE TOWNSHIP IS UNSURVEYED. THE LEGAL LAND DESCRIPTION FOR THE POINT OF DIVERSION HAS BEEN ESTIMATED.

Period of Use: MAY 20 TO OCTOBER 24

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	10.00		S2SESE	19	6S	15W	BEAVERHEAD	
2	25.00		W2NW	29	6S	15W	BEAVERHEAD	
3	124.00		NE	30	6S	15W	BEAVERHEAD	
4	80.00		NW	30	6S	15W	BEAVERHEAD	
5	3.00		NWNWSE	30	6S	15W	BEAVERHEAD	
6	70.00		SW	30	6S	15W	BEAVERHEAD	
Total:	312.00							

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

182271-00 92754-00 92772-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/24/1998: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/02/2000: PLACE OF USE, MAXIMUM ACRES.

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 92754-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-39 , DATED 09/19/1979 , APPEARS TO INDICATE 237.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 4P-152 , DATED 07/19/1955 , APPEARS TO INDICATE 241.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182272-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DOOLING LIVESTOCK CO
PO BOX 842
JACKSON, MT 59736 0842

Priority Date: JUNE 15, 1902

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 8.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 320.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSE	28	6S	15W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: LANGLEY DITCH

Period of Use: MAY 15 TO OCTOBER 20

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	160.00		SE	21	6S	15W	BEAVERHEAD
2	120.00		NE	28	6S	15W	BEAVERHEAD
3	30.00		E2E2NW	28	6S	15W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	10.00		NENESW	28	6S	15W	BEAVERHEAD
Total:	320.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

182272-00 182273-00 92771-00

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 12/05/2006.

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 92771-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-39 , DATED 09/19/1979 , APPEARS TO INDICATE 257.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 13P-9 , DATED 08/09/1955 , APPEARS TO INDICATE 276.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182273-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: DOOLING LIVESTOCK CO
PO BOX 842
JACKSON, MT 59736 0842

Priority Date: JUNE 15, 1902

Type of Historical Right: FILED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 4.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 320.00

Source Name: BIG HOLE RIVER
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSE	28	6S	15W	BEAVERHEAD

Diversion Means: HEADGATE
Ditch Name: LANGLEY DITCH

Period of Use: MAY 15 TO OCTOBER 20

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	160.00		SE	21	6S	15W	BEAVERHEAD
2	120.00		NE	28	6S	15W	BEAVERHEAD
3	30.00		E2E2NW	28	6S	15W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	10.00		NENESW	28	6S	15W	BEAVERHEAD
Total:	320.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

182272-00 182273-00 92771-00

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 12/05/2006.

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 08/19/1996.

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 92771-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 979-39 , DATED 09/19/1979 , APPEARS TO INDICATE 257.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 13P-9 , DATED 08/09/1955 , APPEARS TO INDICATE 276.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182275-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: JANUARY 26, 1932

Type of Historical Right: USE

Purpose(use): DOMESTIC

Flow Rate: 5.00 GPM

Volume: 1.00 AC-FT

Households: 1

Source Name: SPRING, UNNAMED TRIBUTARY OF SEYMOUR CREEK

Source Type: GROUNDWATER

ALSO KNOWN AS A-FRAME SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNESW	6	2N	12W	DEER LODGE

Diversion Means: PUMP

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNESW	6	2N	12W	DEER LODGE

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182275-00 182312-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182276-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: JANUARY 26, 1932

Type of Historical Right: USE

Purpose(use): DOMESTIC

Flow Rate: 3.00 GPM

Volume: 1.00 AC-FT

Households: 1

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNENE	6		2N	12W	DEER LODGE

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNENE	6	2N	12W	DEER LODGE

Remarks:

THE VOLUME WAS AMENDED BY THE CLAIMANT ON 08/20/1993.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182277-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: NOVEMBER 14, 1910

Type of Historical Right: USE

Purpose(use): DOMESTIC

Flow Rate: 30.00 GPM

Volume: 3.00 AC-FT

Households: 1

Maximum Acres: 1.00

Source Name: SPRING, UNNAMED TRIBUTARY OF SULLIVAN CREEK

Source Type: GROUNDWATER

ALSO KNOWN AS NEW SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSE	32	3N	12W	DEER LODGE

Diversion Means: DEVELOPED SPRING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.00		NESWSE	32	3N	12W	DEER LODGE

Total: 1.00

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182277-00 182282-00 182307-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182278-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: JANUARY 26, 1932

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 15.00 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 7.00

Source Name: UNNAMED TRIBUTARY OF SEYMOUR CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS TOUSSAINT CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSESW	6	2N	12W	DEER LODGE

Diversion Means: DIVERSION DAM

POINT OF DIVERSION IS MOVEABLE ALL ALONG SOURCE WITHIN LEGAL LAND DESCRIPTION.

Period of Use: MAY 15 TO OCTOBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	4.00		SE	SESW	6	2N 12W	DEER LODGE
2	3.00		SW	SWSEW	6	2N 12W	DEER LODGE
Total:	7.00						

THE PLACE OF USE INCLUDES NATURAL OVERFLOW AS AN INCIDENTAL TYPE OF IRRIGATION.

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182278-00 182311-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED MEANS OF DIVERSION CANNOT BE IDENTIFIED FROM AVAILABLE DATA.
FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.
THE DEER LODGE COUNTY WATER RESOURCES SURVEY (1955) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
USDA AERIAL PHOTOGRAPH NO(S). 478-54 , DATED 07/27/1980 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
ONLY 2.00 ACRES OF THE CLAIMED PLACE OF USE APPEAR TO BE SUB-IRRIGATED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182279-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: JANUARY 26, 1932

Type of Historical Right: USE

***Purpose(use):** IRRIGATION

Irrigation Type: FLOOD

THIS WATER RIGHT ALSO INCLUDES SUBIRRIGATION AS AN INCIDENTAL TYPE OF IRRIGATION.

Flow Rate: 10.00 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 5.00

***Source Name:** SPRING, UNNAMED TRIBUTARY OF PORONTO CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS ARTESIAN SPRING

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S	WSENE	6	2N 12W	DEER LODGE

Diversion Means: NATURAL OVERFLOW

2		S	ESWNE	6	2N 12W	DEER LODGE
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Diversion Means: NATURAL OVERFLOW

Period of Use: MAY 15 TO OCTOBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	4.00		S	WSENE	6	2N 12W	DEER LODGE
2	1.00		S	ESWNE	6	2N 12W	DEER LODGE
Total:	5.00						

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182279-00 182309-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182280-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: JANUARY 26, 1932

Type of Historical Right: USE

***Purpose(use):** IRRIGATION

Irrigation Type: NATURAL SUBIRRIGATION

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED FOR THIS USE OF NATURAL SUBIRRIGATION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 6.00

***Source Name:** SUBIRRIGATION, UNNAMED TRIBUTARY OF SEYMOUR CREEK

Source Type: GROUNDWATER

ALSO KNOWN AS UNNAMED TRIBUTARY OF TOUSSAINT CREEK

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		W2SWSE	6	2N	12W	DEER LODGE

Diversion Means: SUBIRRIGATION

Period of Use: MAY 15 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	6.00		W2SWSE	6	2N	12W	DEER LODGE

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	6.00						

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182280-00 182310-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 478-54 , DATED 07/27/1980 , APPEARS TO INDICATE 3.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). DFH 12-121 , DATED 08/27/1947 , APPEARS TO INDICATE 3.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182281-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: NOVEMBER 14, 1910

Type of Historical Right: USE

***Purpose(use):** IRRIGATION

Irrigation Type: FLOOD

THIS WATER RIGHT ALSO INCLUDES SUBIRRIGATION AS AN INCIDENTAL TYPE OF IRRIGATION.

Flow Rate: 5.00 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 5.00

Source Name: SPRING, UNNAMED TRIBUTARY OF SULLIVAN CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS OLD SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSE	32		3N	12W	DEER LODGE

Diversion Means: NATURAL OVERFLOW

Period of Use: MAY 15 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	5.00		NESWSE	32	3N	12W	DEER LODGE
Total:	5.00						

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182281-00 182308-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE DEER LODGE COUNTY WATER RESOURCES SURVEY (1955) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDA AERIAL PHOTOGRAPH NO(S). 879-141 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182282-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: NOVEMBER 14, 1910

Type of Historical Right: USE

***Purpose(use):** IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 30.00 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 10.00

Source Name: SPRING, UNNAMED TRIBUTARY OF SULLIVAN CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS NEW SPRING

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSE	32		3N	12W	DEER LODGE
	Diversion Means:	NATURAL OVERFLOW					
2		SESWSE	32		3N	12W	DEER LODGE
	Diversion Means:	NATURAL OVERFLOW					
Period of Use:	MAY 15 TO OCTOBER 19						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	5.00		NESWSE	32	3N	12W	DEER LODGE
2	5.00		SESWSE	32	3N	12W	DEER LODGE
Total:	10.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

182282-00 182283-00 182284-00 182285-00 183455-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182277-00 182282-00 182307-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 879-141 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). DFH 12-67 , DATED 08/27/1947 , APPEARS TO INDICATE 2.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182283-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: JUNE 23, 1897

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 4.89 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 129.00

Source Name: SULLIVAN CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SE	SW	29	3N 12W	DEER LODGE

Diversion Means: HEADGATE

Ditch Name: GUILBAULT DITCH

Period of Use: MAY 15 TO OCTOBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		NENWSE	32	3N	12W	DEER LODGE
2	4.00		NWNWSE	32	3N	12W	DEER LODGE
3	4.00		SENWSE	32	3N	12W	DEER LODGE
4	10.00		SWNWSE	32	3N	12W	DEER LODGE
5	4.00		NESWSE	32	3N	12W	DEER LODGE
6	10.00		NWSWSE	32	3N	12W	DEER LODGE
7	7.00		SESWSE	32	3N	12W	DEER LODGE
8	10.00		SWSWSE	32	3N	12W	DEER LODGE
9	5.00		NENESW	32	3N	12W	DEER LODGE
10	10.00		SENESW	32	3N	12W	DEER LODGE
11	7.00		SWNESW	32	3N	12W	DEER LODGE
12	2.00		SENWSW	32	3N	12W	DEER LODGE
13	10.00		NESESW	32	3N	12W	DEER LODGE
14	9.00		NWSESW	32	3N	12W	DEER LODGE
15	10.00		SESESW	32	3N	12W	DEER LODGE
16	10.00		SWSESW	32	3N	12W	DEER LODGE
17	3.00		NESWSW	32	3N	12W	DEER LODGE
18	9.00		SESWSW	32	3N	12W	DEER LODGE
19	2.00		SWSWSW	32	3N	12W	DEER LODGE
Total:	129.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

182282-00 182283-00 182284-00 182285-00 183455-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. USDA AERIAL PHOTOGRAPH NO(S). 879-141 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE POINT OF DIVERSION APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE NWNESW SEC 29 TWP 03N RGE 12W DEER LODGE COUNTY.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON SULLIVAN CREEK WITH A PRIORITY DATE PREDATING CASE NO. 9916 DEER LODGE COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182284-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: NOVEMBER 14, 1910

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 2.20 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 58.00

Source Name: DRY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SW	32	3N	12W	DEER LODGE

Diversion Means: DIVERSION DAM

PUMP IS MOVEABLE ALL ALONG SOURCE WITHIN LEGAL LAND DESCRIPTION.

Period of Use: MAY 15 TO JULY 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.00		N	SWSE	32	3N 12W	DEER LODGE
2	5.00		S	SWSE	32	3N 12W	DEER LODGE
3	2.00		SW	NESW	32	3N 12W	DEER LODGE
4	6.00		NE	SESW	32	3N 12W	DEER LODGE
5	10.00		NW	SESW	32	3N 12W	DEER LODGE
6	10.00		SE	SESW	32	3N 12W	DEER LODGE
7	10.00		SW	SESW	32	3N 12W	DEER LODGE
8	5.00		NE	SWSW	32	3N 12W	DEER LODGE
9	8.00		SE	SWSW	32	3N 12W	DEER LODGE
Total:	58.00						

THE PLACE OF USE INCLUDES SUBIRRIGATION AS AN INCIDENTAL TYPE OF IRRIGATION.

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

182282-00 182283-00 182284-00 182285-00 183455-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182284-00 182306-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. USDA AERIAL PHOTOGRAPH NO(S). 879-141 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182285-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

***Priority Date:** JUNE 1, 1906

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 6.25 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 129.00

Source Name: SULLIVAN CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESEW	29	3N	12W	DEER LODGE

Diversion Means: HEADGATE

Ditch Name: GUILBAULT DITCH

Period of Use: MAY 15 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		NENWSE	32	3N	12W	DEER LODGE
2	4.00		NWNWSE	32	3N	12W	DEER LODGE
3	4.00		SENWSE	32	3N	12W	DEER LODGE
4	10.00		SWNWSE	32	3N	12W	DEER LODGE
5	4.00		NESWSE	32	3N	12W	DEER LODGE
6	10.00		NWSWSE	32	3N	12W	DEER LODGE
7	7.00		SESWSE	32	3N	12W	DEER LODGE
8	10.00		SWSWSE	32	3N	12W	DEER LODGE
9	5.00		NENESW	32	3N	12W	DEER LODGE
10	10.00		SENESEW	32	3N	12W	DEER LODGE
11	7.00		SWNESW	32	3N	12W	DEER LODGE
12	2.00		SENWSW	32	3N	12W	DEER LODGE
13	10.00		NESESEW	32	3N	12W	DEER LODGE
14	9.00		NWSESEW	32	3N	12W	DEER LODGE
15	10.00		SESESEW	32	3N	12W	DEER LODGE
16	10.00		SWSESEW	32	3N	12W	DEER LODGE
17	3.00		NESWSW	32	3N	12W	DEER LODGE
18	9.00		SESWSW	32	3N	12W	DEER LODGE
19	2.00		SWSWSW	32	3N	12W	DEER LODGE
Total:	129.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

182282-00 182283-00 182284-00 182285-00 183455-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182285-00 182305-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 22.00 GPM PER ACRE.

USDA AERIAL PHOTOGRAPH NO(S). 879-14 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE POINT OF DIVERSION APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE NWNESW SEC 29 TWP 03N RGE 12W DEER LODGE COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182286-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: LAMARCHE CREEK RANCH
72471 SCOTCH PINE RD
FINLAYSON, MN 55735 4378

Priority Date: DECEMBER 31, 1955

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 64.00

Source Name: UNNAMED TRIBUTARY OF LA MARCHE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S	27	2N	13W	DEER LODGE

Diversion Means: HEADGATE

2		S	27	2N	13W	DEER LODGE
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Diversion Means: HEADGATE

Period of Use: MAY 15 TO JULY 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.00		S	SWNE	27	2N 13W	DEER LODGE
2	27.00		W	2W2SESE	27	2N 13W	DEER LODGE
3	35.00		E	2SW	27	2N 13W	DEER LODGE
Total:	64.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

182286-00 182287-00

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 03/14/2002.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182287-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: LAMARCHE CREEK RANCH
72471 SCOTCH PINE RD
FINLAYSON, MN 55735 4378

Priority Date: JULY 28, 1906

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 3.64 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 96.00

Source Name: LA MARCHÉ CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWN	NW	27	2N	13W	DEER LODGE

Diversion Means: HEADGATE

Period of Use: MAY 15 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	32.00		E2NW	27	2N	13W	DEER LODGE
2	64.00		S2	27	2N	13W	DEER LODGE
Total:	96.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

182286-00 182287-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182287-00 182300-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/14/02: PLACE OF USE, POINT OF DIVERSION, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182288-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FRED HIRSCHY
PO BOX 834
JACKSON, MT 59736 0834

LYNN E HIRSCHY
PO BOX 834
JACKSON, MT 59736 0834

Priority Date: JUNE 1, 1909

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 2.61 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 69.00

Source Name: SPRING, UNNAMED TRIBUTARY OF MOOSE CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS SWAMP SPRINGS

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNENE	26	3S	17W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 15 TO SEPTEMBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.00		SW	24	3S	17W	BEAVERHEAD
2	4.00		NW	25	3S	17W	BEAVERHEAD
3	4.00		SW	25	3S	17W	BEAVERHEAD
4	1.00		NW	25	3S	17W	BEAVERHEAD
5	6.00		NE	25	3S	17W	BEAVERHEAD
6	5.00		NW	25	3S	17W	BEAVERHEAD
7	10.00		SE	25	3S	17W	BEAVERHEAD
8	4.00		SW	25	3S	17W	BEAVERHEAD
9	7.00		NE	25	3S	17W	BEAVERHEAD
10	8.00		NW	25	3S	17W	BEAVERHEAD
11	6.00		SE	25	3S	17W	BEAVERHEAD
12	2.00		SW	25	3S	17W	BEAVERHEAD
13	5.00		NE	25	3S	17W	BEAVERHEAD
14	4.00		NW	25	3S	17W	BEAVERHEAD
15	2.00		NE	25	3S	17W	BEAVERHEAD
Total:	69.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

182288-00 182290-00 35229-00 35230-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182289-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FRED HIRSCHY
PO BOX 834
JACKSON, MT 59736 0834

LYNN E HIRSCHY
PO BOX 834
JACKSON, MT 59736 0834

Priority Date: JUNE 27, 1922

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 112.20 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 7.00

Source Name: SPRING, UNNAMED TRIBUTARY OF YANK SWAMP

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWSW	26	3S	17W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 15 TO SEPTEMBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		NWN	26	3S	17W	BEAVERHEAD
2	4.00		SWN	26	3S	17W	BEAVERHEAD
Total:	7.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. AERIAL PHOTOGRAPH NO(S). CXM 12P-10 , DATED 08/09/1955 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182290-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FRED HIRSCHY
PO BOX 834
JACKSON, MT 59736 0834

LYNN E HIRSCHY
PO BOX 834
JACKSON, MT 59736 0834

Priority Date: JUNE 27, 1922

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 3.00 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 20.00

Source Name: SPRING, UNNAMED TRIBUTARY OF MOOSE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWSW	25	3S	17W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 15 TO SEPTEMBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		NWSWNE	25	3S	17W	BEAVERHEAD
2	9.00		NESENW	25	3S	17W	BEAVERHEAD
3	2.00		NWSENW	25	3S	17W	BEAVERHEAD
4	6.00		SESENW	25	3S	17W	BEAVERHEAD
Total:	20.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

182288-00 182290-00 35229-00 35230-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182291-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FRED HIRSCHY
PO BOX 834
JACKSON, MT 59736 0834

LYNN E HIRSCHY
PO BOX 834
JACKSON, MT 59736 0834

Priority Date: JUNE 27, 1922

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 4.00 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 10.00

Source Name: SPRING, UNNAMED TRIBUTARY OF MOOSE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNE	26	3S	17W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 15 TO SEPTEMBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.00		SENWNE	26	3S	17W	BEAVERHEAD
2	1.00		SWNWNE	26	3S	17W	BEAVERHEAD
3	4.00		NESWNE	26	3S	17W	BEAVERHEAD
4	3.00		NWSWNE	26	3S	17W	BEAVERHEAD
Total:	10.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

182291-00 182292-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. USDA AERIAL PHOTOGRAPH NO(S). 979-75 , DATED 09/20/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM 12P-10 , DATED 08/09/1955 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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Water Right Number: 41D 182292-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FRED HIRSCHY
PO BOX 834
JACKSON, MT 59736 0834

LYNN E HIRSCHY
PO BOX 834
JACKSON, MT 59736 0834

Priority Date: JUNE 27, 1922

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 112.20 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 20.00

Source Name: SPRING, UNNAMED TRIBUTARY OF MOOSE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWNE	26	3S	17W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 15 TO SEPTEMBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.00		SE	26	3S	17W	BEAVERHEAD
2	1.00		SW	26	3S	17W	BEAVERHEAD
3	1.00		NE	26	3S	17W	BEAVERHEAD
4	8.00		SE	26	3S	17W	BEAVERHEAD
5	9.00		SW	26	3S	17W	BEAVERHEAD
Total:	20.00						

Remarks:

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182291-00 182292-00

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FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 979-75 , DATED 09/20/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM 12P-10 , DATED 08/09/1955 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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Water Right Number: 41D 182293-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FRED HIRSCHY
PO BOX 834
JACKSON, MT 59736 0834

LYNN E HIRSCHY
PO BOX 834
JACKSON, MT 59736 0834

Priority Date: JUNE 4, 1900

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 5.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 74.00

Source Name: MOOSE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	24	3S	17W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 15 TO SEPTEMBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	63.00		W2SW	19	3S	16W	BEAVERHEAD
2	11.00		E2SE	24	3S	17W	BEAVERHEAD
Total:	74.00						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/22/2000: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 33.00 GPM PER ACRE.

USDA AERIAL PHOTOGRAPH NO(S). 979-73 , DATED 09/20/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM 12P-35 , DATED 08/09/1955 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182294-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FRED HIRSCHY
PO BOX 834
JACKSON, MT 59736 0834

LYNN E HIRSCHY
PO BOX 834
JACKSON, MT 59736 0834

***Priority Date:** JULY 1, 1908

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 167.00

Source Name: MOOSE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSESE	24	3S	17W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: FRANCE DITCH NO. 2

Period of Use: MAY 15 TO SEPTEMBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	167.00		E2	24	3S	17W	BEAVERHEAD
Total:	167.00						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/22/2000: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 979-73 , DATED 09/20/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM 12P-35 , DATED 08/09/1955 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182295-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: FRED HIRSCHY
PO BOX 834
JACKSON, MT 59736 0834

LYNN E HIRSCHY
PO BOX 834
JACKSON, MT 59736 0834

Priority Date: JANUARY 23, 1900

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: MOOSE CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSW	19	3S	16W	BEAVERHEAD
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
2		S2SESE	24	3S	17W	BEAVERHEAD
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
3		W2NE	25	3S	17W	BEAVERHEAD
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE					
Period of Use:	JUNE 1 TO NOVEMBER 4					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSW	19	3S	16W	BEAVERHEAD
2			S2SESE	24	3S	17W	BEAVERHEAD
3			W2NE	25	3S	17W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182295-00 35230-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182296-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FRED HIRSCHY
PO BOX 834
JACKSON, MT 59736 0834

LYNN E HIRSCHY
PO BOX 834
JACKSON, MT 59736 0834

Priority Date: JUNE 27, 1922

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF MOOSE CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		NEN	25	3S	17W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JUNE 1 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			NEN	25	3S	17W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182297-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FRED HIRSCHY
PO BOX 834
JACKSON, MT 59736 0834

LYNN E HIRSCHY
PO BOX 834
JACKSON, MT 59736 0834

Priority Date: JUNE 27, 1922

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF YANK SWAMP

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SEN	WSW	26	3S	17W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JUNE 1 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SEN	WSW	26	3S	17W BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182298-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FRED HIRSCHY
PO BOX 834
JACKSON, MT 59736 0834

LYNN E HIRSCHY
PO BOX 834
JACKSON, MT 59736 0834

Priority Date: JANUARY 26, 1916

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF MOOSE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		N	25	3S	17W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JUNE 1 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			N	25	3S	17W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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Water Right Number: 41D 182299-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: FRED HIRSCHY
PO BOX 834
JACKSON, MT 59736 0834

LYNN E HIRSCHY
PO BOX 834
JACKSON, MT 59736 0834

Priority Date: MAY 25, 1917

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF YANK SWAMP

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWNW	24	3S	17W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JUNE 1 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSWNW	24	3S	17W	BEAVERHEAD

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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182300-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: LAMARCHE CREEK RANCH
72471 SCOTCH PINE RD
FINLAYSON, MN 55735 4378

***Priority Date:** JULY 28, 1906

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: LA MARCHE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESE	21	2N	13W	DEER LODGE	
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						
2		NENW	27	2N	13W	DEER LODGE	
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						
3		NWNW	27	2N	13W	DEER LODGE	
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						
4		SWNW	27	2N	13W	DEER LODGE	
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						
5		NESE	27	2N	13W	DEER LODGE	
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
6		NWSW	27	2N	13W	DEER LODGE
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
7		NWNE	34	2N	13W	DEER LODGE
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
8		SWNE	34	2N	13W	DEER LODGE
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
9		NENW	34	2N	13W	DEER LODGE
	Diversion Means: LIVESTOCK DIRECT FROM SOURCE					

Period of Use: JUNE 1 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESE	21	2N	13W	DEER LODGE
2			NENW	27	2N	13W	DEER LODGE
3			NWNW	27	2N	13W	DEER LODGE
4			SWNW	27	2N	13W	DEER LODGE
5			NESE	27	2N	13W	DEER LODGE
6			NWSW	27	2N	13W	DEER LODGE
7			NWNE	34	2N	13W	DEER LODGE
8			SWNE	34	2N	13W	DEER LODGE
9			NENW	34	2N	13W	DEER LODGE

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182287-00 182300-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182301-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: LAMARCHE CREEK RANCH
72471 SCOTCH PINE RD
FINLAYSON, MN 55735 4378

***Priority Date:** DECEMBER 31, 1960

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF LA MARCHE CREEK

Source Type: SURFACE WATER

Source Name: LA MARCHE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENE	27	2N	13W	DEER LODGE

Source Name: UNNAMED TRIBUTARY OF LA MARCHE CREEK

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		SWNE	27	2N	13W	DEER LODGE
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Source Name: UNNAMED TRIBUTARY OF LA MARCHE CREEK

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
3		NESW	27	2N	13W	DEER LODGE

Source Name: LA MARCHÉ CREEK
Diversion Means: LIVESTOCK DIRECT FROM SOURCE
Period of Use: JUNE 1 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENE	27	2N	13W	DEER LODGE
2			SWNE	27	2N	13W	DEER LODGE
3			NESW	27	2N	13W	DEER LODGE

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182302-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: LAMARCHE CREEK RANCH
72471 SCOTCH PINE RD
FINLAYSON, MN 55735 4378

***Priority Date:** DECEMBER 31, 1960

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNE	28		2N	13W	DEER LODGE
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						
2		NWSE	28		2N	13W	DEER LODGE
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						
3		SESE	28		2N	13W	DEER LODGE
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						
4		SWSE	28		2N	13W	DEER LODGE
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						

Period of Use: JUNE 1 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNE	28	2N	13W	DEER LODGE
2			NWSE	28	2N	13W	DEER LODGE
3			SESE	28	2N	13W	DEER LODGE
4			SWSE	28	2N	13W	DEER LODGE

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182303-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: LAMARCHE CREEK RANCH
72471 SCOTCH PINE RD
FINLAYSON, MN 55735 4378

***Priority Date:** DECEMBER 31, 1960

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF LA MARCHE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		NWN	WSW	27	2N	13W	DEER LODGE

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JUNE 1 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			NWN	WSW	27	2N	13W DEER LODGE

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

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Water Right Number: 41D 182304-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: LAMARCHE CREEK RANCH
72471 SCOTCH PINE RD
FINLAYSON, MN 55735 4378

***Priority Date:** DECEMBER 31, 1960

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF LA MARCHE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		SEN	WSW	27	2N	13W	DEER LODGE

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JUNE 1 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			SEN	WSW	27	2N	13W DEER LODGE

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182305-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: JUNE 1, 1906

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SULLIVAN CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESEW	29	3N	12W	DEER LODGE

Diversion Means: HEADGATE

Ditch Name: GUILBAULT DITCH

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2NWSE	32	3N	12W	DEER LODGE
2			NWNWSE	32	3N	12W	DEER LODGE
3			NESWSE	32	3N	12W	DEER LODGE

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4			NESW	32	3N	12W	DEER LODGE
5			NESWSW	32	3N	12W	DEER LODGE

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182285-00 182305-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182306-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: NOVEMBER 14, 1910

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: DRY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		SESW	32	3N	12W	DEER LODGE

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			SESW	32	3N	12W	DEER LODGE

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182284-00 182306-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182307-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: NOVEMBER 14, 1910

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 30.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF SULLIVAN CREEK

Source Type: GROUNDWATER

ALSO KNOWN AS NEW SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSE	32		3N	12W	DEER LODGE

Diversion Means: DEVELOPED SPRING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESWSE	32		3N	12W	DEER LODGE

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182277-00 182282-00 182307-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182308-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: NOVEMBER 14, 1910

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 5.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF SULLIVAN CREEK
Source Type: SURFACE WATER
ALSO KNOWN AS OLD SPRING

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSE	32		3N	12W	DEER LODGE

Diversion Means: PIPELINE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESWSE	32	3N	12W	DEER LODGE

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182281-00 182308-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182309-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: JANUARY 26, 1932

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF SEYMOUR CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS ARTESIAN SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWNE	6	2N	12W	DEER LODGE

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESWNE	6	2N	12W	DEER LODGE

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182279-00 182309-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182310-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: JANUARY 26, 1932

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** UNNAMED TRIBUTARY OF SEYMOUR CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		W2SWSE	6	2N	12W	DEER LODGE

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2SWSE	6	2N	12W	DEER LODGE

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182280-00 182310-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182311-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: JANUARY 26, 1932

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** UNNAMED TRIBUTARY OF SEYMOUR CREEK
Source Type: SURFACE WATER
ALSO KNOWN AS TOUSSAINT CREEK

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSESW	6	2N	12W	DEER LODGE

***Period of Diversion:** JUNE 1 TO SEPTEMBER 15

Diversion Means: DAM

***Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	SWSESW	6	2N	12W	DEER LODGE

Capacity: 0.20 ACRE-FEET

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2	SESW	6	2N 12W	DEER LODGE

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182278-00 182311-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182312-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: JANUARY 26, 1932

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 5.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF SEYMOUR CREEK

Source Type: GROUNDWATER

ALSO KNOWN AS A-FRAME SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNESW	6	2N	12W	DEER LODGE

Diversion Means: PUMP

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNESW	6	2N	12W	DEER LODGE

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182275-00 182312-00

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 08/20/1993.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182313-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: JANUARY 26, 1932

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF PORONTO CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNESE	6	2N	12W	DEER LODGE

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNESE	6	2N	12W	DEER LODGE

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182314-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: JANUARY 26, 1932

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF PORONTO CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSESE	6	2N	12W	DEER LODGE

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSESE	6	2N	12W	DEER LODGE

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182351-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOSEPH A HERZOG
2008 BANKS ST
BUTTE, MT 59701 6302

PAULINE E SEMMENS
12 HARRISON AVE
HELENA, MT 59601 6234

Priority Date: MAY 1, 1914

THIS RIGHT, PURSUANT TO CASE 4100, BEAVERHEAD COUNTY, IS SUBSEQUENT TO THE RIGHTS DECREED IN CASE 2627, REGARDLESS OF PRIORITY DATE. THOSE WATER RIGHTS FROM CASE 2627 ARE: 1080-00, 27459-00, 27460-00, 41591-00, 41592-00, 92794-00, 92891-00, 93193-00, 93194-00, 93195-00, 93820-00, 93821-00, 93822-00, 93823-00, 93824-00, 93825-00, 182379-00.

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 358.80 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 8.50

***Source Name:** GROUSE CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNE	10	2S	12W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 15 TO NOVEMBER 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.50		NENENE	10	2S	12W	BEAVERHEAD
2	2.00		NWNENE	10	2S	12W	BEAVERHEAD
3	2.00		SENENE	10	2S	12W	BEAVERHEAD
4	2.00		SWNENE	10	2S	12W	BEAVERHEAD
Total:	8.50						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

182351-00 182384-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182351-00 182352-00 182353-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/06/1999: MAXIMUM ACRES, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/26/1999: MAXIMUM ACRES, PERIOD OF USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 100 MINER'S INCHES DECREED IN CASE NO. 4101 , BEAVERHEAD COUNTY. 182351-00, 182353-00, 195272-00.

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 42.00 GPM PER ACRE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182352-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOSEPH A HERZOG
2008 BANKS ST
BUTTE, MT 59701 6302

PAULINE E SEMMENS
12 HARRISON AVE
HELENA, MT 59601 6234

Priority Date: MAY 1, 1914

THIS RIGHT, PURSUANT TO CASE 4100, BEAVERHEAD COUNTY, IS SUBSEQUENT TO THE RIGHTS DECREED IN CASE 2627, REGARDLESS OF PRIORITY DATE. THOSE WATER RIGHTS FROM CASE 2627 ARE: 1080-00, 27459-00, 27460-00, 41591-00, 41592-00, 92794-00, 92891-00, 93193-00, 93194-00, 93195-00, 93820-00, 93821-00, 93822-00, 93823-00, 93824-00, 93825-00, 182379-00.

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** GROUSE CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		W2NWNE	10	2S	12W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO DECEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSWSW	2	2S	12W	BEAVERHEAD
2			SESESE	3	2S	12W	BEAVERHEAD
3			E2NENE	10	2S	12W	BEAVERHEAD
4			NWNW	11	2S	12W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182351-00 182352-00 182353-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182353-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOSEPH A HERZOG
2008 BANKS ST
BUTTE, MT 59701 6302

PAULINE E SEMMENS
12 HARRISON AVE
HELENA, MT 59601 6234

Priority Date: MAY 1, 1914

THIS RIGHT, PURSUANT TO CASE 4100, BEAVERHEAD COUNTY, IS SUBSEQUENT TO THE RIGHTS DECREED IN CASE 2627, REGARDLESS OF PRIORITY DATE. THOSE WATER RIGHTS FROM CASE 2627 ARE: 1080-00, 27459-00, 27460-00, 41591-00, 41592-00, 92794-00, 92891-00, 93193-00, 93194-00, 93195-00, 93820-00, 93821-00, 93822-00, 93823-00, 93824-00, 93825-00, 182379-00.

Type of Historical Right: DECREED

***Purpose(use):** MULTIPLE DOMESTIC

Flow Rate: 10.00 GPM

Volume: 16.22 AC-FT

Households: 2

Maximum Acres: 0.50

***Source Name:** GROUSE CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		W2NWNE	10		2S	12W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	0.50		E2	NENE	10	2S	12W BEAVERHEAD
Total:	0.50						

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182351-00 182352-00 182353-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 100 MINER'S INCHES DECREED IN CASE NO. 4101 , BEAVERHEAD COUNTY. 182351-00, 182353-00, 195272-00.

THE CLAIMED VOLUME EXCEEDS THE 3.25 ACRE-FEET GUIDELINE FOR THIS PURPOSE. ITS ACCURACY CANNOT BE CONFIRMED DUE TO LACK OF DATA.

THE CLAIMED VOLUME EXCEEDS THE MAXIMUM FEASIBLE VOLUME. BASED ON THE FLOW RATE AND PERIOD OF USE, THE MAXIMUM VOLUME POSSIBLE IS 16.17 ACRE-FEET PER YEAR.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182354-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: GARRISON RANCHES INC
PO BOX 320006
GLEN, MT 59732 0006

Priority Date: MAY 1, 1878

CASE NO. 1134, MADISON COUNTY, DECREES THIS RIGHT CAN BE USED AT ALL TIMES EXCLUSIVELY PRIOR TO ALL OTHER RIGHTS DECREED IN THIS CASE; SEE PG 29 OF CASE 1134.

Type of Historical Right: DECREED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 1.25 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 120.00

Source Name: CAMP CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSW	19	1S	7W	SILVER BOW
	Diversion Means:	HEADGATE				
	Ditch Name:	BAUMAN DITCH A				
2		SWNWSW	19	1S	7W	SILVER BOW
	Diversion Means:	HEADGATE				
	Ditch Name:	BAUMAN DITCH B				

Period of Use: MARCH 1 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		S2N2SE	24	1S	8W	SILVER BOW
2	80.00		S2SE	24	1S	8W	SILVER BOW
Total:	120.00						

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182354-00 182355-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 25 TO OCTOBER 5.

USDA AERIAL PHOTOGRAPH NO(S). 378-68 , DATED 09/07/1979 , APPEARS TO INDICATE 90.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182355-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: GARRISON RANCHES INC
PO BOX 320006
GLEN, MT 59732 0006

Priority Date: MAY 1, 1878

CASE NO. 1134, MADISON COUNTY, DECREES THIS RIGHT CAN BE USED AT ALL TIMES EXCLUSIVELY PRIOR TO ALL OTHER RIGHTS DECREED IN THIS CASE; SEE PG 29 OF CASE 1134.

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.25 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 120.00

Source Name: LITTLE CAMP CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSE	24	1S	8W	SILVER BOW

Diversion Means: HEADGATE

2		SWNWSE	24	1S	8W	SILVER BOW
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Diversion Means: HEADGATE

Period of Use: MARCH 1 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	80.00		S2SE	24	1S	8W	SILVER BOW
2	40.00		NWNE	25	1S	8W	SILVER BOW
Total:	120.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

182355-00 182357-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182354-00 182355-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/28/1982: SOURCE, POINT OF DIVERSION, PLACE OF USE.

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 182354-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 378-68 , DATED 09/07/1979 , APPEARS TO INDICATE 90.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182356-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: GARRISON RANCHES INC
PO BOX 320006
GLEN, MT 59732 0006

Priority Date: APRIL 15, 1908

Type of Historical Right: DECREE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 120.00

Source Name: CAMP CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSW	19	1S	7W	SILVER BOW

Diversion Means: HEADGATE

2		SWNWSW	19	1S	7W	SILVER BOW
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Diversion Means: HEADGATE

Period of Use: MARCH 1 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00		S2N2SE	24	1S	8W	SILVER BOW
2	80.00		S2SE	24	1S	8W	SILVER BOW

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	120.00						

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182356-00 182357-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/28/1982: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 378-68 , DATED 09/07/1979 , APPEARS TO INDICATE 90.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182357-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: GARRISON RANCHES INC
PO BOX 320006
GLEN, MT 59732 0006

Priority Date: APRIL 15, 1908

Type of Historical Right: DECREE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 120.00

Source Name: LITTLE CAMP CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSE	24	1S	8W	SILVER BOW

Diversion Means: HEADGATE

2		SWNWSE	24	1S	8W	SILVER BOW
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Diversion Means: HEADGATE

Period of Use: MARCH 1 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	80.00		S2SE	24	1S	8W	SILVER BOW
2	40.00		NWNE	25	1S	8W	SILVER BOW

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	120.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

182355-00 182357-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182356-00 182357-00

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 182356-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 378-68 , DATED 09/07/1979 , APPEARS TO INDICATE 90.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182358-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: GARRISON RANCHES INC
PO BOX 320006
GLEN, MT 59732 0006

Priority Date: AUGUST 28, 1917

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF TUCKER CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		SE	SE	SW	25	1N 9W	SILVER BOW

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: MARCH 1 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			SE	SE	SW	25 1N 9W	SILVER BOW

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182359-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: GARRISON RANCHES INC
PO BOX 320006
GLEN, MT 59732 0006

Priority Date: AUGUST 28, 1917

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF TUCKER CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSW	30	1N	8W	SILVER BOW

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: MARCH 1 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSWSW	30	1N	8W	SILVER BOW

Remarks:

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 182358-00.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

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Water Right Number: 41D 182360-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: BAR SEVEN S RANCH
PO BOX 320062
GLEN, MT 59732 0062

Priority Date: FEBRUARY 28, 1927

Type of Historical Right: USE

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 50.00 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 20.00

Source Name: SPRING, UNNAMED TRIBUTARY OF WILLOW CREEK
Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWNW	35	4S	9W	BEAVERHEAD

Diversion Means: DEVELOPED SPRING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00		W2NENW	35	4S	9W	BEAVERHEAD

Total: 20.00

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

110725-00	110726-00	110727-00	110728-00	110729-00	110730-00	110731-00
110732-00	110733-00	110734-00	110735-00	110736-00	182360-00	92616-00
92617-00	92618-00	92619-00	92620-00	92634-00		

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182360-00 92624-00 92630-00

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 92630-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

USDA AERIAL PHOTOGRAPH NO(S). 879-29 , DATED 09/18/1979 , APPEARS TO INDICATE 15.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 3FF-38 , DATED 08/01/1965 , APPEARS TO INDICATE 10.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182379-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

GRIFFIN ALLEN
7015 WENSLEY WAY
JACKSONVILLE, FL 32217 2674

LOVELL FAMILY TRUST
FRED & NANCY LOVELL, TRUSTEES
2912 VIA RIVERA
PALOS VERDES PENINSULA, CA 90274 2831

PETER C KAMPERSCHROER
PO BOX 201
WISE RIVER, MT 59762 0201

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: MAY 1, 1890

THIS RIGHT, DECREED IN CASE 2627, BEAVERHEAD COUNTY, PRECEDES THE RIGHTS DECREED IN CASE 4100, REGARDLESS OF PRIORITY. THOSE WATER RIGHTS FROM CASE 4100 ARE: 4208-00, 27450-00, 27451-00, 27452-00, 49586-00, 49587-00, 49588-00, 49589-00, 92701-00, 93437-00, 93438-00, 93439-00, 93440-00, 93441-00, 93442-00, 93443-00, 93444-00, 93445-00, 93826-00, 93827-00, 93828-00, 93829-00, 93830-00, 93831-00, 93832-00, 93833-00, 93834-00, 93835-00, 93836-00, 110677-00, 118188-00, 118189-00, 182351-00, 182352-00, 182353-00, 195272-00.

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 6.25 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

*Maximum Acres: 635.00
Source Name: WISE RIVER
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSENE	9	1S	11W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO OCTOBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	28.00		E2E2	34	1N	11W	BEAVERHEAD
2	3.00		SEWSE	34	1N	11W	BEAVERHEAD
3	375.00			35	1N	11W	BEAVERHEAD
4	68.00		W2W2	36	1N	11W	BEAVERHEAD
5	127.00		W2W2	3	1S	11W	BEAVERHEAD
6	30.00		E2E2E2	4	1S	11W	BEAVERHEAD
7	4.00		NENENE	9	1S	11W	BEAVERHEAD
Total:	635.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

182379-00 93824-00 93825-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/25/2001: MAXIMUM ACRES, PLACE OF USE.

AN AMENDMENT WAS SUBMITTED ON 09/12/1991 REQUESTING TO AMEND THE PLACE OF USE, MAXIMUM ACRES, AND PERIOD OF USE. BECAUSE NO AMENDED MAP WAS SUBMITTED, THE AMENDMENT HAS NOT BEEN IMPLEMENTED.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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Water Right Number: 41D 182381-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: CRAIG B KENNEDY
105 2ND AVE N
SEATTLE, WA 98109 4906

DWIGHT F KENNEDY
105 2ND AVE N
SEATTLE, WA 98109 4906

***Priority Date:** DECEMBER 31, 1900

Type of Historical Right: USE

***Purpose(uses):** MULTIPLE DOMESTIC

Flow Rate: 58.34 GPM

Volume: 91.25 AC-FT

Households: 5

Maximum Acres: 3.00

***Source Name:** BIRCH CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESESE	23	5S	10W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		SWSW	24	5S	10W	BEAVERHEAD

Total: 3.00

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED FLOW RATE EXCEEDS THE 35 GPM GUIDELINE FOR THIS PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

THIS CLAIMED WATER RIGHT MAY BE QUESTIONABLE. THE RIGHT APPEARS TO HAVE LAST BEEN USED IN 1950.

THE CLAIMED VOLUME EXCEEDS THE 12.50 ACRE-FEET GUIDELINE FOR THIS PURPOSE. ITS ACCURACY CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182382-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CRAIG B KENNEDY
105 2ND AVE N
SEATTLE, WA 98109 4906

DWIGHT F KENNEDY
105 2ND AVE N
SEATTLE, WA 98109 4906

***Priority Date:** DECEMBER 31, 1950

Type of Historical Right: USE

***Purpose(use):** MULTIPLE DOMESTIC

Flow Rate: 30.00 GPM

Volume: 48.66 AC-FT

Households: 5

Maximum Acres: 3.00

***Source Name:** GROUNDWATER

Source Type: GROUNDWATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSW	24	5S	10W	BEAVERHEAD

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		NWSWSW	24	5S	10W	BEAVERHEAD

Total: 3.00

Remarks:

THIS IMPLIED CLAIM WAS CREATED BASED ON INFORMATION IN CLAIM NO. 18238 , PRIOR TO WATER COURT AUTHORIZATION BEING REQUIRED.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED VOLUME EXCEEDS THE 12.50 ACRE-FEET GUIDELINE FOR THIS PURPOSE. ITS ACCURACY CANNOT BE CONFIRMED DUE TO LACK OF DATA.

THE CLAIMED VOLUME EXCEEDS THE MAXIMUM FEASIBLE VOLUME. BASED ON THE FLOW RATE AND PERIOD OF USE, THE MAXIMUM VOLUME POSSIBLE IS 48.52 ACRE-FEET PER YEAR.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182384-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOSEPH A HERZOG
2008 BANKS ST
BUTTE, MT 59701 6302

PAULINE E SEMMENS
12 HARRISON AVE
HELENA, MT 59601 6234

Priority Date: MAY 1, 1914

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 119.60 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 8.50

***Source Name:** UNNAMED TRIBUTARY OF GROUSE CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNW	10	2S	12W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 15 TO NOVEMBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.50		NENENE	10	2S	12W	BEAVERHEAD
2	2.00		NWNENE	10	2S	12W	BEAVERHEAD
3	2.00		SENENE	10	2S	12W	BEAVERHEAD
4	2.00		SWNENE	10	2S	12W	BEAVERHEAD
Total:	8.50						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

182351-00 182384-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182384-00 182385-00 182386-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/06/1999: MAXIMUM ACRES, PERIOD OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/26/1999: MAXIMUM ACRES, PLACE OF USE.

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 182351-00.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182385-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOSEPH A HERZOG
2008 BANKS ST
BUTTE, MT 59701 6302

PAULINE E SEMMENS
12 HARRISON AVE
HELENA, MT 59601 6234

Priority Date: MAY 1, 1934

Type of Historical Right: USE

***Purpose(use):** MULTIPLE DOMESTIC

Flow Rate: 5.00 GPM

Volume: 8.11 AC-FT

Households: 2

Maximum Acres: 0.50

***Source Name:** SPRING, UNNAMED TRIBUTARY OF GROUSE CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNW	10	2S	12W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	0.50		E2NENE	10	2S	12W	BEAVERHEAD

Total: 0.50

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182384-00 182385-00 182386-00

THIS IMPLIED CLAIM WAS CREATED BASED ON INFORMATION IN CLAIM NO. 182353-00 , PRIOR TO WATER COURT AUTHORIZATION BEING REQUIRED.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED VOLUME EXCEEDS THE 3.25 ACRE-FEET GUIDELINE FOR THIS PURPOSE. ITS ACCURACY CANNOT BE CONFIRMED DUE TO LACK OF DATA.

THE CLAIMED VOLUME EXCEEDS THE MAXIMUM FEASIBLE VOLUME. BASED ON THE FLOW RATE AND PERIOD OF USE, THE MAXIMUM VOLUME POSSIBLE IS 8.09 ACRE-FEET PER YEAR.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 182386-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: JOSEPH A HERZOG
2008 BANKS ST
BUTTE, MT 59701 6302

PAULINE E SEMMENS
12 HARRISON AVE
HELENA, MT 59601 6234

Priority Date: MAY 1, 1914

Type of Historical Right: USE

***Purpose(use):** STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF GROUSE CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNW	10		2S	12W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO DECEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSWSW	2	2S	12W	BEAVERHEAD
2			SESESE	3	2S	12W	BEAVERHEAD
3			E2NENE	10	2S	12W	BEAVERHEAD
4			NWNW	11	2S	12W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

182384-00 182385-00 182386-00

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 182352-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON GROUSE CREEK WITH A PRIORITY DATE PREDATING CASE NO. 4100 BEAVERHEAD COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 183454-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: LAMARCHE CREEK RANCH
72471 SCOTCH PINE RD
FINLAYSON, MN 55735 4378

***Priority Date:** DECEMBER 31, 1960

Type of Historical Right: USE

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 1.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 42.00

Source Name: LA MARCHE CREEK, EAST FORK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSE	10	2N	13W	DEER LODGE

Diversion Means: HEADGATE
Ditch Name: BACON DITCH

Period of Use: MAY 15 TO JULY 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	14.00		SENE	27	2N	13W	DEER LODGE
2	28.00		N2SE	27	2N	13W	DEER LODGE
Total:	42.00						

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 183455-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: JUNE 23, 1897

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 0.00 GPM

ENTIRE FLOW OF TESSIER CREEK.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 129.00

Source Name: UNNAMED TRIBUTARY OF SULLIVAN CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS TESSIER CREEK

ACCORDING TO THE FILED APPROPRIATION, TESSIER CREEK IS ONE DRAINAGE EAST OF SULLIVAN CREEK. THE CONFLUENCE OF TESSIER AND SULLIVAN CREEK IS LOCATED IN THE SESWNW IN SEC 29, T3N, R12W.

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SE	SW	29	3N 12W	DEER LODGE

Diversion Means: HEADGATE

Ditch Name: GUILBAULT DITCH

WATER FROM TESSIER CREEK IS CONVEYED THROUGH SULLIVAN CREEK AND DIVERTED TO THE PLACE OF USE.

Period of Use: MAY 15 TO OCTOBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		NENWSE	32	3N	12W	DEER LODGE
2	4.00		NWNWSE	32	3N	12W	DEER LODGE
3	4.00		SENWSE	32	3N	12W	DEER LODGE
4	10.00		SWNWSE	32	3N	12W	DEER LODGE
5	4.00		NESWSE	32	3N	12W	DEER LODGE
6	10.00		NWSWSE	32	3N	12W	DEER LODGE
7	7.00		SESWSE	32	3N	12W	DEER LODGE
8	10.00		SWSWSE	32	3N	12W	DEER LODGE
9	5.00		NENESW	32	3N	12W	DEER LODGE
10	10.00		SENESW	32	3N	12W	DEER LODGE
11	7.00		SWNESW	32	3N	12W	DEER LODGE
12	2.00		SENWSW	32	3N	12W	DEER LODGE
13	10.00		NESESW	32	3N	12W	DEER LODGE
14	9.00		NWSESW	32	3N	12W	DEER LODGE
15	10.00		SESESW	32	3N	12W	DEER LODGE
16	10.00		SWSESW	32	3N	12W	DEER LODGE
17	3.00		NESWSW	32	3N	12W	DEER LODGE
18	9.00		SESWSW	32	3N	12W	DEER LODGE
19	2.00		SWSWSW	32	3N	12W	DEER LODGE
Total:	129.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

182282-00 182283-00 182284-00 182285-00 183455-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE FLOW RATE HAS NOT BEEN EXAMINED AS NO QUANTIFIED FLOW RATE WAS CLAIMED. FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. USDA AERIAL PHOTOGRAPH NO(S). 879-141 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE POINT OF DIVERSION APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE NWNESW SEC 29 TWP 03N RGE 12W DEER LODGE COUNTY.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED RIGHT ON TESSIER CREEK WITH A PRIORITY DATE PREDATING CASE NO. 9916 DEER LODGE COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 183456-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: JANUARY 26, 1932

Type of Historical Right: USE

***Purpose(use):** IRRIGATION
Irrigation Type: NATURAL SUBIRRIGATION

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED FOR THIS USE OF NATURAL SUBIRRIGATION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 18.00

***Source Name:** SUBIRRIGATION, UNNAMED TRIBUTARY OF PORONTO CREEK

Source Type: GROUNDWATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		SE	6	2N	12W	DEER LODGE
Diversion Means:	SUBIRRIGATION					
2		SW	6	2N	12W	DEER LODGE
Diversion Means:	SUBIRRIGATION					
3		N2	6	2N	12W	DEER LODGE
Diversion Means:	SUBIRRIGATION					
4		SE	6	2N	12W	DEER LODGE
Diversion Means:	SUBIRRIGATION					

Period of Use: MAY 15 TO JULY 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.00		SE	NE	6	2N	12W	DEER LODGE
2	3.00		SW	NE	6	2N	12W	DEER LODGE
3	9.00		N2	SE	6	2N	12W	DEER LODGE
4	4.00		SE	SE	6	2N	12W	DEER LODGE
Total:	18.00							

THE PLACE OF USE INCLUDES NATURAL OVERFLOW AS AN INCIDENTAL TYPE OF IRRIGATION.

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

183456-00 183457-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/11/1983: MAXIMUM ACRES, PLACE OF USE, VOLUME.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 478-54 , DATED 07/02/1980 , APPEARS TO INDICATE 3.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). DFH 12-121 , DATED 08/27/1947 , APPEARS TO INDICATE 3.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 183457-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: JANUARY 26, 1932

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** PORONTO CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2NENE	6	2N	12W	DEER LODGE

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		SENE	6	2N	12W	DEER LODGE
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2NENE	6	2N	12W	DEER LODGE
2			SENE	6	2N	12W	DEER LODGE

Place of Use:

ID Acres Govt Lot Qtr Sec Sec Twp Rge County

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

183456-00 183457-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 183458-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: JANUARY 26, 1932

Type of Historical Right: USE

***Purpose(use):** IRRIGATION

Irrigation Type: NATURAL SUBIRRIGATION

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED FOR THIS USE OF NATURAL SUBIRRIGATION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 15.00

***Source Name:** SUBIRRIGATION, UNNAMED TRIBUTARY OF PORONTO CREEK

Source Type: GROUNDWATER

ALSO KNOWN AS PORONTO CREEK, NORTH FORK

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENE	6	2N	12W	DEER LODGE
	Diversion Means:	SUBIRRIGATION				
2		SENENE	6	2N	12W	DEER LODGE
	Diversion Means:	SUBIRRIGATION				
3		NESENE	6	2N	12W	DEER LODGE
	Diversion Means:	SUBIRRIGATION				

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		NWSENE	6	2N	12W	DEER LODGE

Diversion Means: SUBIRRIGATION

Period of Use: MAY 15 TO JULY 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	4.00		NENENE	6	2N	12W	DEER LODGE
2	3.00		SENESE	6	2N	12W	DEER LODGE
3	3.00		NESENE	6	2N	12W	DEER LODGE
4	5.00		NWSENE	6	2N	12W	DEER LODGE
Total:	15.00						

THE PLACE OF USE INCLUDES NATURAL OVERFLOW AS AN INCIDENTAL TYPE OF IRRIGATION.

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

183458-00 183459-00

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 183456-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 478-54 , DATED 07/27/1980 , APPEARS TO INDICATE 10.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). DFH 12-121 , DATED 08/27/1947 , APPEARS TO INDICATE 10.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 183459-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CANYON INVESTMENT LIMITED PARTNERSHIP
% CHADEAYNE ROUSH
PO BOX 39
WISE RIVER, MT 59762 0039

Priority Date: JANUARY 26, 1932

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** UNNAMED TRIBUTARY OF PORONTO CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS PORONTO CREEK, NORTH FORK

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENE	6	2N	12W	DEER LODGE

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		E2SENE	6	2N	12W	DEER LODGE
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENE	6	2N	12W	DEER LODGE
2			E2SENE	6	2N	12W	DEER LODGE

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

183458-00 183459-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184582-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: JUNE 1, 1880

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 0.00 GPM

THIS RIGHT IS FOR ALL THE FLOW OF LOST CREEK FROM AUGUST 6 TO JUNE 6, AS DECREED IN A PRIOR DECREE, CASE NO. 2839, BEAVERHEAD COUNTY.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 127.95

Source Name: LOST CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENE	16	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: AUGUST 6 TO JUNE 6

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.83		NE	9	4S	9W	BEAVERHEAD
2	6.61		SE	9	4S	9W	BEAVERHEAD
3	1.84		NW	10	4S	9W	BEAVERHEAD
4	6.42		SW	10	4S	9W	BEAVERHEAD
5	41.92		W2	15	4S	9W	BEAVERHEAD
6	69.33		W2	15	4S	9W	BEAVERHEAD
Total:	127.95						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

184582-00 184583-00 184584-00 184585-00 184586-00 184587-00 184588-00
 184589-00 184590-00 184591-00 184607-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

184582-00 184631-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184583-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: JUNE 6, 1929

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 0.00 GPM

ENTIRE FLOW OF LOST CREEK.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 127.95

Source Name: LOST CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENE	16	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: JUNE 6 TO AUGUST 6

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.83		NE	9	4S	9W	BEAVERHEAD
2	6.61		SE	9	4S	9W	BEAVERHEAD
3	1.84		NE	10	4S	9W	BEAVERHEAD
4	6.42		S	10	4S	9W	BEAVERHEAD
5	41.92		W2	15	4S	9W	BEAVERHEAD
6	69.33		W2	15	4S	9W	BEAVERHEAD
Total:	127.95						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

184582-00 184583-00 184584-00 184585-00 184586-00 184587-00 184588-00
 184589-00 184590-00 184591-00 184607-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

184583-00 184632-00

CASE 2839, BEAVERHEAD COUNTY, DECREED ALL THE WATERS OF LOST CREEK TO CHARLES SASSMAN DURING THE PERIOD OF JUNE 6 TO AUGUST 6. THIS USE RIGHT IS A CLAIM TO THE SASSMAN RIGHT WHEN IT WAS NOT PUT TO USE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE FLOW RATE HAS NOT BEEN EXAMINED AS NO QUANTIFIED FLOW RATE WAS CLAIMED. THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON LOST CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 2839 BEAVERHEAD COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184584-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: MAY 1, 1890

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: NATURAL OVERFLOW

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED FOR THIS NATURAL OVERFLOW METHOD OF IRRIGATION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 120.29

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENW	3	4S	9W	BEAVERHEAD	

Diversion Means: NATURAL OVERFLOW

2		NESWSE	3	4S	9W	BEAVERHEAD
---	--	--------	---	----	----	------------

Diversion Means: NATURAL OVERFLOW

Period of Use: MAY 1 TO JUNE 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	120.29			3	4S	9W	BEAVERHEAD
Total:	120.29						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

184582-00 184583-00 184584-00 184585-00 184586-00 184587-00 184588-00
184589-00 184590-00 184591-00 184607-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

IT APPEARS THIS WATER RIGHT MAY NOT HAVE BEEN PERFECTED. ACCORDING TO INFORMATION IN THE CLAIM FILE, THERE APPEARS TO BE NO APPROPRIATION OF WATER. ALL ELEMENTS OF THIS CLAIM MAY BE QUESTIONABLE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184585-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: MAY 1, 1883

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 9.90 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 261.25

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NEN	3	4S	9W	BEAVERHEAD
Diversion Means: DITCH						
2		NES	3	4S	9W	BEAVERHEAD
Diversion Means: DITCH						

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
3		NWSWNW	11	4S	9W	BEAVERHEAD

Diversion Means: DITCH

HIGH AND FLOOD WATER IS COLLECTED IN VARIOUS LOCATIONS AND CONVEYED THROUGH SLOUGHS TO THE PLACE OF USE.

Period of Use: MAY 1 TO JUNE 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	261.25		E2	10	4S	9W	BEAVERHEAD

Total: 261.25

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

184582-00 184583-00 184584-00 184585-00 184586-00 184587-00 184588-00
 184589-00 184590-00 184591-00 184607-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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Water Right Number: 41D 184586-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: APRIL 1, 1919

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 25.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 1,265.79

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWSE	27	3S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: BIG HOLE DITCH

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	4.90		SW	NENW	3	4S	9W	BEAVERHEAD
2	1.37		SE	NWNW	3	4S	9W	BEAVERHEAD
3	16.56			SE	3	4S	9W	BEAVERHEAD
4	18.05			SW	3	4S	9W	BEAVERHEAD
5	18.36			SE	3	4S	9W	BEAVERHEAD
6	24.79			SW	3	4S	9W	BEAVERHEAD
7	23.86			NE	3	4S	9W	BEAVERHEAD
8	22.58			NW	3	4S	9W	BEAVERHEAD
9	23.64			SE	3	4S	9W	BEAVERHEAD
10	26.17			SWSW	3	4S	9W	BEAVERHEAD
11	1.83		NE	SENE	9	4S	9W	BEAVERHEAD
12	6.43		SE	SENE	9	4S	9W	BEAVERHEAD
13	4.59		NE	NESE	9	4S	9W	BEAVERHEAD
14	4.59		SE	NESE	9	4S	9W	BEAVERHEAD
15	14.69		E2	SESE	9	4S	9W	BEAVERHEAD
16	40.00			NENE	10	4S	9W	BEAVERHEAD
17	39.72			NWNE	10	4S	9W	BEAVERHEAD
18	40.00			SENE	10	4S	9W	BEAVERHEAD
19	36.27		SW	NE	10	4S	9W	BEAVERHEAD
20	33.98			NENW	10	4S	9W	BEAVERHEAD
21	30.30		NW	NW	10	4S	9W	BEAVERHEAD
22	34.40			SE	10	4S	9W	BEAVERHEAD
23	40.00		SW	NW	10	4S	9W	BEAVERHEAD
24	27.55			NESE	10	4S	9W	BEAVERHEAD
25	28.93		NW	SE	10	4S	9W	BEAVERHEAD
26	28.01			SESE	10	4S	9W	BEAVERHEAD
27	28.92		SW	SE	10	4S	9W	BEAVERHEAD
28	36.73			NE	10	4S	9W	BEAVERHEAD
29	40.00		NW	SW	10	4S	9W	BEAVERHEAD
30	40.00			SE	10	4S	9W	BEAVERHEAD
31	40.00		SWSW		10	4S	9W	BEAVERHEAD
32	18.69			NENE	15	4S	9W	BEAVERHEAD
33	36.73			NWNE	15	4S	9W	BEAVERHEAD
34	13.15			SENE	15	4S	9W	BEAVERHEAD
35	35.35		SW	NE	15	4S	9W	BEAVERHEAD
36	40.00			NENW	15	4S	9W	BEAVERHEAD
37	36.00		NW	NW	15	4S	9W	BEAVERHEAD
38	40.00			SE	15	4S	9W	BEAVERHEAD
39	36.73		SW	NW	15	4S	9W	BEAVERHEAD
40	0.23		NW	NESE	15	4S	9W	BEAVERHEAD
41	39.66			NWSE	15	4S	9W	BEAVERHEAD
42	1.39		NW	SESE	15	4S	9W	BEAVERHEAD
43	3.21		SW	SESE	15	4S	9W	BEAVERHEAD
44	38.10			SWSE	15	4S	9W	BEAVERHEAD
45	40.00			NE	15	4S	9W	BEAVERHEAD
46	37.19		NW	SW	15	4S	9W	BEAVERHEAD
47	40.00			SE	15	4S	9W	BEAVERHEAD
48	32.14		SWSW		15	4S	9W	BEAVERHEAD

Total: 1,265.79

Remarks:

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184582-00 184583-00 184584-00 184585-00 184586-00 184587-00 184588-00
184589-00 184590-00 184591-00 184607-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/24/1983: FLOW RATE, VOLUME, TYPE OF HISTORICAL RIGHT.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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Water Right Number: 41D 184587-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: APRIL 1, 1919

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 12.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 1,265.79

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWSE	27	3S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: BIG HOLE DITCH

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	4.90		SW	NENW	3	4S	9W	BEAVERHEAD	
2	1.37		SE	NWNW	3	4S	9W	BEAVERHEAD	
3	16.56			SE	NW	3	4S	9W	BEAVERHEAD
4	18.05			SW	NW	3	4S	9W	BEAVERHEAD
5	18.36			SE	SE	3	4S	9W	BEAVERHEAD
6	24.79			SW	SE	3	4S	9W	BEAVERHEAD
7	23.86			NE	SW	3	4S	9W	BEAVERHEAD
8	22.58			NW	SW	3	4S	9W	BEAVERHEAD
9	23.64			SE	SW	3	4S	9W	BEAVERHEAD
10	26.17			S	SW	3	4S	9W	BEAVERHEAD
11	1.83		NE	SE	NE	9	4S	9W	BEAVERHEAD
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13	4.59		NE	NE	SE	9	4S	9W	BEAVERHEAD
14	4.59		SE	NE	SE	9	4S	9W	BEAVERHEAD
15	14.69		E	SE	SE	9	4S	9W	BEAVERHEAD
16	40.00			NE	NE	10	4S	9W	BEAVERHEAD
17	39.72			NW	NE	10	4S	9W	BEAVERHEAD
18	40.00			SE	NE	10	4S	9W	BEAVERHEAD
19	36.27			SW	NE	10	4S	9W	BEAVERHEAD
20	33.98			NE	NW	10	4S	9W	BEAVERHEAD
21	30.30			NW	NW	10	4S	9W	BEAVERHEAD
22	34.40			SE	NW	10	4S	9W	BEAVERHEAD
23	40.00			SW	NW	10	4S	9W	BEAVERHEAD
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25	28.93			NW	SE	10	4S	9W	BEAVERHEAD
26	28.01			SE	SE	10	4S	9W	BEAVERHEAD
27	28.92			SW	SE	10	4S	9W	BEAVERHEAD
28	36.73			NE	SW	10	4S	9W	BEAVERHEAD
29	40.00			NW	SW	10	4S	9W	BEAVERHEAD
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31	40.00			S	SW	10	4S	9W	BEAVERHEAD
32	18.69			NE	NE	15	4S	9W	BEAVERHEAD
33	36.73			NW	NE	15	4S	9W	BEAVERHEAD
34	13.15			SE	NE	15	4S	9W	BEAVERHEAD
35	35.35			SW	NE	15	4S	9W	BEAVERHEAD
36	40.00			NE	NW	15	4S	9W	BEAVERHEAD
37	36.00			NW	NW	15	4S	9W	BEAVERHEAD
38	40.00			SE	NW	15	4S	9W	BEAVERHEAD
39	36.73			SW	NW	15	4S	9W	BEAVERHEAD
40	0.23			NW	NE	15	4S	9W	BEAVERHEAD
41	39.66			NW	SE	15	4S	9W	BEAVERHEAD
42	1.39			NW	SE	15	4S	9W	BEAVERHEAD
43	3.21			SW	SE	15	4S	9W	BEAVERHEAD
44	38.10			SW	SE	15	4S	9W	BEAVERHEAD
45	40.00			NE	SW	15	4S	9W	BEAVERHEAD
46	37.19			NW	SW	15	4S	9W	BEAVERHEAD
47	40.00			SE	SW	15	4S	9W	BEAVERHEAD
48	32.14			S	SW	15	4S	9W	BEAVERHEAD

Total: 1,265.79

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

184582-00 184583-00 184584-00 184585-00 184586-00 184587-00 184588-00
184589-00 184590-00 184591-00 184607-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184588-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: JUNE 8, 1880

Type of Historical Right: USE

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

***Flow Rate:** 5.34 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 141.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NEN	3	4S	9W	BEAVERHEAD
Diversion Means: DITCH						
2		NES	3	4S	9W	BEAVERHEAD
Diversion Means: DITCH						

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
3		NWSWNW	11	4S	9W	BEAVERHEAD

Diversion Means: DITCH

HIGH AND FLOOD WATER IS COLLECTED IN VARIOUS LOCATIONS AND CONVEYED THROUGH SLOUGHS TO THE PLACE OF USE.

Period of Use: MAY 1 TO JUNE 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	141.00			15	4S	9W	BEAVERHEAD

Total: 141.00

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

184582-00	184583-00	184584-00	184585-00	184586-00	184587-00	184588-00
184589-00	184590-00	184591-00	184607-00			

THE MAXIMUM ACRES WAS AMENDED BY THE CLAIMANT ON 02/15/1996.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184589-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: APRIL 1, 1919

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 44.05 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 1,265.79

Source Name: ROCK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSEW	34	3S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: BIG HOLE DITCH

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>		
1	4.90		SW	NENW	3	4S	9W	BEAVERHEAD		
2	1.37		SE	NWNW	3	4S	9W	BEAVERHEAD		
3	16.56			SE	NW	3	4S	9W	BEAVERHEAD	
4	18.05			SW	NW	3	4S	9W	BEAVERHEAD	
5	18.36			SE	SE	3	4S	9W	BEAVERHEAD	
6	24.79			SW	SE	3	4S	9W	BEAVERHEAD	
7	23.86			NE	SW	3	4S	9W	BEAVERHEAD	
8	22.58			NW	SW	3	4S	9W	BEAVERHEAD	
9	23.64			SE	SW	3	4S	9W	BEAVERHEAD	
10	26.17			S	SW	3	4S	9W	BEAVERHEAD	
11	1.83		NE	SE	NE	9	4S	9W	BEAVERHEAD	
12	6.43		SE	SE	NE	9	4S	9W	BEAVERHEAD	
13	4.59		NE	NE	SE	9	4S	9W	BEAVERHEAD	
14	4.59		SE	NE	SE	9	4S	9W	BEAVERHEAD	
15	14.69		E	SE	SE	9	4S	9W	BEAVERHEAD	
16	40.00			N	E	10	4S	9W	BEAVERHEAD	
17	39.72			N	W	N	10	4S	9W	BEAVERHEAD
18	40.00			S	E	N	10	4S	9W	BEAVERHEAD
19	36.27			SW	N	E	10	4S	9W	BEAVERHEAD
20	33.98			N	E	N	10	4S	9W	BEAVERHEAD
21	30.30			N	W	N	10	4S	9W	BEAVERHEAD
22	34.40			S	E	N	10	4S	9W	BEAVERHEAD
23	40.00			SW	N	W	10	4S	9W	BEAVERHEAD
24	27.55			NE	S	E	10	4S	9W	BEAVERHEAD
25	28.93			N	W	S	10	4S	9W	BEAVERHEAD
26	28.01			SE	S	E	10	4S	9W	BEAVERHEAD
27	28.92			SW	S	E	10	4S	9W	BEAVERHEAD
28	36.73			NE	S	W	10	4S	9W	BEAVERHEAD
29	40.00			N	W	S	10	4S	9W	BEAVERHEAD
30	40.00			SE	S	W	10	4S	9W	BEAVERHEAD
31	40.00			S	W	S	10	4S	9W	BEAVERHEAD
32	18.69			N	E	N	15	4S	9W	BEAVERHEAD
33	36.73			N	W	N	15	4S	9W	BEAVERHEAD
34	13.15			S	E	N	15	4S	9W	BEAVERHEAD
35	35.35			SW	N	E	15	4S	9W	BEAVERHEAD
36	40.00			N	E	N	15	4S	9W	BEAVERHEAD
37	36.00			N	W	N	15	4S	9W	BEAVERHEAD
38	40.00			S	E	N	15	4S	9W	BEAVERHEAD
39	36.73			SW	N	W	15	4S	9W	BEAVERHEAD
40	0.23			N	W	N	15	4S	9W	BEAVERHEAD
41	39.66			N	W	S	15	4S	9W	BEAVERHEAD
42	1.39			N	W	S	15	4S	9W	BEAVERHEAD
43	3.21			S	W	S	15	4S	9W	BEAVERHEAD
44	38.10			SW	S	E	15	4S	9W	BEAVERHEAD
45	40.00			NE	S	W	15	4S	9W	BEAVERHEAD
46	37.19			N	W	S	15	4S	9W	BEAVERHEAD
47	40.00			SE	S	W	15	4S	9W	BEAVERHEAD
48	32.14			S	W	S	15	4S	9W	BEAVERHEAD

Total: 1,265.79

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

184582-00 184583-00 184584-00 184585-00 184586-00 184587-00 184588-00
184589-00 184590-00 184591-00 184607-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

184589-00 184629-00

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 7/28/2006.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON ROCK CREEK WITH A PRIORITY DATE PREDATING CASE NO. 2632 BEAVERHEAD COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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Water Right Number: 41D 184590-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: APRIL 1, 1942

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 12.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 1,265.79

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWSE	27	3S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	4.90		SW	NENW	3	4S	9W	BEAVERHEAD
2	1.37		SE	NWNW	3	4S	9W	BEAVERHEAD
3	16.56			SE	3	4S	9W	BEAVERHEAD
4	18.05			SW	3	4S	9W	BEAVERHEAD
5	18.36			SE	3	4S	9W	BEAVERHEAD
6	24.79			SW	3	4S	9W	BEAVERHEAD
7	23.86			NE	3	4S	9W	BEAVERHEAD
8	22.58			NW	3	4S	9W	BEAVERHEAD
9	23.64			SE	3	4S	9W	BEAVERHEAD
10	26.17			SW	3	4S	9W	BEAVERHEAD
11	1.83		NE	SENE	9	4S	9W	BEAVERHEAD
12	6.43		SE	SENE	9	4S	9W	BEAVERHEAD
13	4.59		NE	NESE	9	4S	9W	BEAVERHEAD
14	4.59		SE	NESE	9	4S	9W	BEAVERHEAD
15	14.69		E	SESE	9	4S	9W	BEAVERHEAD
16	40.00			NENE	10	4S	9W	BEAVERHEAD
17	39.72			NWNE	10	4S	9W	BEAVERHEAD
18	40.00			SENE	10	4S	9W	BEAVERHEAD
19	36.27		SW	NE	10	4S	9W	BEAVERHEAD
20	33.98			NENW	10	4S	9W	BEAVERHEAD
21	30.30		NW	NW	10	4S	9W	BEAVERHEAD
22	34.40			SE	10	4S	9W	BEAVERHEAD
23	40.00		SW	NW	10	4S	9W	BEAVERHEAD
24	27.55			NESE	10	4S	9W	BEAVERHEAD
25	28.93		NW	SE	10	4S	9W	BEAVERHEAD
26	28.01			SESE	10	4S	9W	BEAVERHEAD
27	28.92		SW	SE	10	4S	9W	BEAVERHEAD
28	36.73			NE	10	4S	9W	BEAVERHEAD
29	40.00		NW	SW	10	4S	9W	BEAVERHEAD
30	40.00			SE	10	4S	9W	BEAVERHEAD
31	40.00		SW	SW	10	4S	9W	BEAVERHEAD
32	18.69			NENE	15	4S	9W	BEAVERHEAD
33	36.73			NWNE	15	4S	9W	BEAVERHEAD
34	13.15			SENE	15	4S	9W	BEAVERHEAD
35	35.35		SW	NE	15	4S	9W	BEAVERHEAD
36	40.00			NENW	15	4S	9W	BEAVERHEAD
37	36.00		NW	NW	15	4S	9W	BEAVERHEAD
38	40.00			SE	15	4S	9W	BEAVERHEAD
39	36.73		SW	NW	15	4S	9W	BEAVERHEAD
40	0.23		NW	NESE	15	4S	9W	BEAVERHEAD
41	39.66			NWSE	15	4S	9W	BEAVERHEAD
42	1.39		NW	SESE	15	4S	9W	BEAVERHEAD
43	3.21		SW	SESE	15	4S	9W	BEAVERHEAD
44	38.10			SWSE	15	4S	9W	BEAVERHEAD
45	40.00			NE	15	4S	9W	BEAVERHEAD
46	37.19		NW	SW	15	4S	9W	BEAVERHEAD
47	40.00			SE	15	4S	9W	BEAVERHEAD
48	32.14		SW	SW	15	4S	9W	BEAVERHEAD

Total: 1,265.79

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

184582-00 184583-00 184584-00 184585-00 184586-00 184587-00 184588-00
184589-00 184590-00 184591-00 184607-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184591-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: JUNE 15, 1945

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 44.05 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 322.99

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESEW	34	3S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO SEPTEMBER 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	18.36		SESE	3	4S	9W	BEAVERHEAD
2	24.79		SWSE	3	4S	9W	BEAVERHEAD
3	1.15		SESESW	3	4S	9W	BEAVERHEAD
4	40.00		NENE	10	4S	9W	BEAVERHEAD
5	35.03		NWNE	10	4S	9W	BEAVERHEAD
6	40.00		SENE	10	4S	9W	BEAVERHEAD
7	29.84		SWNE	10	4S	9W	BEAVERHEAD
8	27.55		NESE	10	4S	9W	BEAVERHEAD
9	23.93		NWSE	10	4S	9W	BEAVERHEAD
10	23.01		SESE	10	4S	9W	BEAVERHEAD
11	15.15		SWSE	10	4S	9W	BEAVERHEAD
12	18.69		NENE	15	4S	9W	BEAVERHEAD
13	5.51		NENWNE	15	4S	9W	BEAVERHEAD
14	3.67		SENEWNE	15	4S	9W	BEAVERHEAD
15	13.15		SENE	15	4S	9W	BEAVERHEAD
16	1.15		NESWNE	15	4S	9W	BEAVERHEAD
17	1.60		SESWNE	15	4S	9W	BEAVERHEAD
18	0.23		NWNESE	15	4S	9W	BEAVERHEAD
19	0.18		NENWSE	15	4S	9W	BEAVERHEAD
Total:	322.99						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

184582-00 184583-00 184584-00 184585-00 184586-00 184587-00 184588-00
 184589-00 184590-00 184591-00 184607-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

184591-00 184633-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/15/1996: PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184592-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: CORY L LAMEY
62211 HWY 43
WISE RIVER, MT 59762

KARI A LAMEY
62211 HWY 43
WISE RIVER, MT 59762

Priority Date: JULY 30, 1900

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 547.06

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BIRCH CREEK

Source Type: SURFACE WATER

WATER IS COLLECTED IN TWO LATERAL DITCHES THAT RUN ALONG THE WESTERN BORDER OF THE E2 OF SEC 21, TWP 05S, RGE 09W.

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	21	5S	9W	BEAVERHEAD

Diversion Means: DITCH

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	23.95		NESW	15	5S	9W	BEAVERHEAD
2	17.91		NWSW	15	5S	9W	BEAVERHEAD
3	36.79		SESW	15	5S	9W	BEAVERHEAD
4	35.87		SWSW	15	5S	9W	BEAVERHEAD
5	40.00		NENE	21	5S	9W	BEAVERHEAD
6	40.00		SENE	21	5S	9W	BEAVERHEAD
7	40.00		SWNE	21	5S	9W	BEAVERHEAD
8	40.00		NESE	21	5S	9W	BEAVERHEAD
9	38.16		NWSE	21	5S	9W	BEAVERHEAD
10	40.00		SESE	21	5S	9W	BEAVERHEAD
11	40.00		SWSE	21	5S	9W	BEAVERHEAD
12	28.01		NENW	22	5S	9W	BEAVERHEAD
13	30.36		NWNW	22	5S	9W	BEAVERHEAD
14	13.31		SENW	22	5S	9W	BEAVERHEAD
15	33.57		SWNW	22	5S	9W	BEAVERHEAD
16	1.38		NWNESW	22	5S	9W	BEAVERHEAD
17	26.17		NWSW	22	5S	9W	BEAVERHEAD
18	21.58		SWSW	22	5S	9W	BEAVERHEAD

Total: 547.06

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184593-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

***Priority Date:** DECEMBER 31, 1872

Type of Historical Right: USE

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 2.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 533.46

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BIRCH CREEK

Source Type: SURFACE WATER
THE SOURCE IS WATER COLLECTED IN A DRAIN DITCH.

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESEW	10	5S	9W	BEAVERHEAD

Diversion Means: DITCH

Period of Use: MARCH 1 TO NOVEMBER 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	105.60		NE	2	5S	9W	BEAVERHEAD
2	14.69		NW	2	5S	9W	BEAVERHEAD
3	30.30		SE	2	5S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	123.51		SW	2	5S	9W	BEAVERHEAD
5	22.50		SESE	3	5S	9W	BEAVERHEAD
6	103.82		NE	10	5S	9W	BEAVERHEAD
7	20.20		SENE	10	5S	9W	BEAVERHEAD
8	86.21		SE	10	5S	9W	BEAVERHEAD
9	26.63		NESW	10	5S	9W	BEAVERHEAD
Total:	533.46						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

184593-00 184594-00 184595-00 184596-00 184597-00 184598-00 184599-00
 184600-00 184601-00 184602-00 184603-00 184604-00 184605-00 184606-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-176 , DATED 08/01/1965 , APPEARS TO INDICATE 143.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184594-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

***Priority Date:** DECEMBER 31, 1881

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 533.46

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BIRCH CREEK

Source Type: SURFACE WATER

THE SOURCE IS WATER COLLECTED IN A DRAIN DITCH.

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESEW	10	5S	9W	BEAVERHEAD

Diversion Means: DITCH

Period of Use: MARCH 1 TO NOVEMBER 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	105.60		NE	2	5S	9W	BEAVERHEAD
2	14.69		NW	2	5S	9W	BEAVERHEAD
3	30.30		SE	2	5S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	123.51		SW	2	5S	9W	BEAVERHEAD
5	22.50		SESE	3	5S	9W	BEAVERHEAD
6	103.82		NE	10	5S	9W	BEAVERHEAD
7	20.20		SENE	10	5S	9W	BEAVERHEAD
8	86.21		SE	10	5S	9W	BEAVERHEAD
9	26.63		NESW	10	5S	9W	BEAVERHEAD
Total:	533.46						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

184593-00 184594-00 184595-00 184596-00 184597-00 184598-00 184599-00
 184600-00 184601-00 184602-00 184603-00 184604-00 184605-00 184606-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-176 , DATED 08/01/1965 , APPEARS TO INDICATE 143.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184595-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

***Priority Date:** DECEMBER 31, 1872

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 874.66

Source Name: SPRING, UNNAMED TRIBUTARY OF BIRCH CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS LOUGHRIDGE WARM SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNW	11	5S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	28.92		SENW	31	4S	8W	BEAVERHEAD
2	28.47		SWNW	31	4S	8W	BEAVERHEAD
3	38.16		NESW	31	4S	8W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	22.04		NWSW	31	31	4S	8W	BEAVERHEAD
5	28.47		SESW	31	31	4S	8W	BEAVERHEAD
6	38.62		SESE	35	35	4S	9W	BEAVERHEAD
7	34.49		SWSE	35	35	4S	9W	BEAVERHEAD
8	1.84		SESESW	35	35	4S	9W	BEAVERHEAD
9	35.41		NWSE	36	36	4S	9W	BEAVERHEAD
10	0.75		NESWSE	36	36	4S	9W	BEAVERHEAD
11	6.46		NWSWSE	36	36	4S	9W	BEAVERHEAD
12	0.51		SWSWSE	36	36	4S	9W	BEAVERHEAD
13	35.81		NESW	36	36	4S	9W	BEAVERHEAD
14	28.92		SESW	36	36	4S	9W	BEAVERHEAD
15	27.55		SWSW	36	36	4S	9W	BEAVERHEAD
16	28.72		NENW	6	6	5S	8W	BEAVERHEAD
17	26.63		SENW	6	6	5S	8W	BEAVERHEAD
18	1.90		NWNENW	1	1	5S	9W	BEAVERHEAD
19	1.31		SWNENW	1	1	5S	9W	BEAVERHEAD
20	33.06		NWNW	1	1	5S	9W	BEAVERHEAD
21	0.92		NWSWNW	1	1	5S	9W	BEAVERHEAD
22	34.95		NENE	2	2	5S	9W	BEAVERHEAD
23	29.43		NWNE	2	2	5S	9W	BEAVERHEAD
24	34.49		SENE	2	2	5S	9W	BEAVERHEAD
25	30.82		SWNE	2	2	5S	9W	BEAVERHEAD
26	30.76		NENW	2	2	5S	9W	BEAVERHEAD
27	26.17		SENW	2	2	5S	9W	BEAVERHEAD
28	34.89		SWNW	2	2	5S	9W	BEAVERHEAD
29	2.61		NENESE	2	2	5S	9W	BEAVERHEAD
30	2.50		NWNESE	2	2	5S	9W	BEAVERHEAD
31	28.98		NWSE	2	2	5S	9W	BEAVERHEAD
32	0.46		NWSWSE	2	2	5S	9W	BEAVERHEAD
33	40.00		NESW	2	2	5S	9W	BEAVERHEAD
34	33.57		NWSW	2	2	5S	9W	BEAVERHEAD
35	21.17		SESW	2	2	5S	9W	BEAVERHEAD
36	38.17		SWSW	2	2	5S	9W	BEAVERHEAD
37	22.50		SESE	3	3	5S	9W	BEAVERHEAD
38	2.50		NENENE	10	10	5S	9W	BEAVERHEAD
39	2.13		NWNENE	10	10	5S	9W	BEAVERHEAD
40	1.20		SENESE	10	10	5S	9W	BEAVERHEAD
41	1.02		NENWNE	10	10	5S	9W	BEAVERHEAD
42	1.60		NENWNW	11	11	5S	9W	BEAVERHEAD
43	2.50		NWNWNW	11	11	5S	9W	BEAVERHEAD
44	0.48		SENWNW	11	11	5S	9W	BEAVERHEAD
45	2.50		SWNWNW	11	11	5S	9W	BEAVERHEAD
46	0.30		NWSWNW	11	11	5S	9W	BEAVERHEAD
Total:	874.66							

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

184593-00	184594-00	184595-00	184596-00	184597-00	184598-00	184599-00
184600-00	184601-00	184602-00	184603-00	184604-00	184605-00	184606-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

184595-00 184608-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 10.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-103, CXM 2FF-178, CXM 2FF-176 , DATED 07/31/1965 , APPEARS TO INDICATE 337.10 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184596-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

Priority Date: APRIL 1, 1950

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 874.66

Source Name: SPRING, UNNAMED TRIBUTARY OF BIRCH CREEK

Source Type: GROUNDWATER

ALSO KNOWN AS LOUGHRIDGE WARM SPRING DEVELOPMENT

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNW	11	5S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	28.92		SENW	31	4S	8W	BEAVERHEAD
2	28.47		SWNW	31	4S	8W	BEAVERHEAD
3	38.16		NESW	31	4S	8W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	22.04		NWSW	31	4S	8W	BEAVERHEAD	
5	28.47		SESW	31	4S	8W	BEAVERHEAD	
6	38.62		SESE	35	4S	9W	BEAVERHEAD	
7	34.49		SWSE	35	4S	9W	BEAVERHEAD	
8	1.84		SESESW	35	4S	9W	BEAVERHEAD	
9	35.41		NWSE	36	4S	9W	BEAVERHEAD	
10	0.75		NESWSE	36	4S	9W	BEAVERHEAD	
11	6.46		NWSWSE	36	4S	9W	BEAVERHEAD	
12	0.51		SWSWSE	36	4S	9W	BEAVERHEAD	
13	35.81		NESW	36	4S	9W	BEAVERHEAD	
14	28.92		SESW	36	4S	9W	BEAVERHEAD	
15	27.55		SWSW	36	4S	9W	BEAVERHEAD	
16	28.72		NENW	6	5S	8W	BEAVERHEAD	
17	26.63		SENW	6	5S	8W	BEAVERHEAD	
18	1.90		NWNENW	1	5S	9W	BEAVERHEAD	
19	1.31		SWNENW	1	5S	9W	BEAVERHEAD	
20	33.06		NWNW	1	5S	9W	BEAVERHEAD	
21	0.92		NWSWNW	1	5S	9W	BEAVERHEAD	
22	34.95		NENE	2	5S	9W	BEAVERHEAD	
23	29.43		NWNE	2	5S	9W	BEAVERHEAD	
24	34.49		SENE	2	5S	9W	BEAVERHEAD	
25	30.82		SWNE	2	5S	9W	BEAVERHEAD	
26	30.76		NENW	2	5S	9W	BEAVERHEAD	
27	26.17		SENW	2	5S	9W	BEAVERHEAD	
28	34.89		SWNW	2	5S	9W	BEAVERHEAD	
29	2.61		NENESE	2	5S	9W	BEAVERHEAD	
30	2.50		NWNESE	2	5S	9W	BEAVERHEAD	
31	28.98		NWSE	2	5S	9W	BEAVERHEAD	
32	0.46		NWSWSE	2	5S	9W	BEAVERHEAD	
33	40.00		NESW	2	5S	9W	BEAVERHEAD	
34	33.57		NWSW	2	5S	9W	BEAVERHEAD	
35	21.17		SESW	2	5S	9W	BEAVERHEAD	
36	38.17		SWSW	2	5S	9W	BEAVERHEAD	
37	22.50		SESE	3	5S	9W	BEAVERHEAD	
38	2.50		NENENE	10	5S	9W	BEAVERHEAD	
39	2.13		NWNENE	10	5S	9W	BEAVERHEAD	
40	1.20		SENESE	10	5S	9W	BEAVERHEAD	
41	1.02		NENWNE	10	5S	9W	BEAVERHEAD	
42	1.60		NENWNW	11	5S	9W	BEAVERHEAD	
43	2.50		NWNWNW	11	5S	9W	BEAVERHEAD	
44	0.48		SEWNW	11	5S	9W	BEAVERHEAD	
45	2.50		SWNWNW	11	5S	9W	BEAVERHEAD	
46	0.30		NWSWNW	11	5S	9W	BEAVERHEAD	
Total:	874.66							

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

184593-00	184594-00	184595-00	184596-00	184597-00	184598-00	184599-00
184600-00	184601-00	184602-00	184603-00	184604-00	184605-00	184606-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 10.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-103, CXM 2FF-178, CXM 2FF-176 , DATED 07/31/1965 , APPEARS TO INDICATE 337.10 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184597-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

Priority Date: JUNE 7, 1883

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 645.81

Source Name: SPRING, UNNAMED TRIBUTARY OF BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENESE	3	5S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MARCH 15 TO NOVEMBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	28.92		SENW	31	4S	8W	BEAVERHEAD
2	28.47		SWNW	31	4S	8W	BEAVERHEAD
3	38.16		NESW	31	4S	8W	BEAVERHEAD
4	22.04		NWSW	31	4S	8W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5	28.47		SESW	31	4S	8W	BEAVERHEAD
6	38.62		SESE	35	4S	9W	BEAVERHEAD
7	34.49		SWSE	35	4S	9W	BEAVERHEAD
8	1.84		SESESW	35	4S	9W	BEAVERHEAD
9	35.41		NWSE	36	4S	9W	BEAVERHEAD
10	0.75		NESWSE	36	4S	9W	BEAVERHEAD
11	6.46		NWSWSE	36	4S	9W	BEAVERHEAD
12	0.51		SWSWSE	36	4S	9W	BEAVERHEAD
13	35.81		NESW	36	4S	9W	BEAVERHEAD
14	28.92		SESW	36	4S	9W	BEAVERHEAD
15	27.55		SWSW	36	4S	9W	BEAVERHEAD
16	28.72		NENW	6	5S	8W	BEAVERHEAD
17	26.63		SESW	6	5S	8W	BEAVERHEAD
18	1.90		NWNENW	1	5S	9W	BEAVERHEAD
19	1.31		SWNENW	1	5S	9W	BEAVERHEAD
20	33.06		NWNW	1	5S	9W	BEAVERHEAD
21	0.92		NWSWNW	1	5S	9W	BEAVERHEAD
22	34.95		NENE	2	5S	9W	BEAVERHEAD
23	29.43		NWNE	2	5S	9W	BEAVERHEAD
24	29.09		SENE	2	5S	9W	BEAVERHEAD
25	7.51		NESWNE	2	5S	9W	BEAVERHEAD
26	1.20		NWSWNE	2	5S	9W	BEAVERHEAD
27	30.76		NENW	2	5S	9W	BEAVERHEAD
28	15.57		SESW	2	5S	9W	BEAVERHEAD
29	34.14		SWNW	2	5S	9W	BEAVERHEAD
30	14.20		NWSW	2	5S	9W	BEAVERHEAD
Total:	645.81						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

184593-00 184594-00 184595-00 184596-00 184597-00 184598-00 184599-00
 184600-00 184601-00 184602-00 184603-00 184604-00 184605-00 184606-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

184597-00 184609-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 10.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-103, CXM 2FF-178, CXM 2FF-176 , DATED 07/31/1965 , APPEARS TO INDICATE 244.30 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184598-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

Priority Date: APRIL 2, 1900

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.75 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 852.65

Source Name: UNNAMED TRIBUTARY OF BIRCH CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS BARBOUR COLD SPRINGS

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSE	10	5S	9W	BEAVERHEAD

Diversion Means: HEADGATE

BIRCH CREEK IS USED AS A NATURAL CARRIER TO CONVEY WATER DIVERTED FROM ANCHOR LAKE TO SECONDARY DIVERSIONS LOCATED IN: NENENW 20 05S 09W, NWSENW 20 05S 09W, NWSESW 36 04S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, NWNENE 02 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, SESESE 03 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, SESWNW 16 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, NWNENE 17 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W, NENENW 20 05S 09W, NWSENW 20 05S 09W.

Period of Use: MARCH 15 TO NOVEMBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	28.92		SE	NW	31	4S	8W	BEAVERHEAD	
2	28.47		SW	NW	31	4S	8W	BEAVERHEAD	
3	38.16		NE	SW	31	4S	8W	BEAVERHEAD	
4	22.04		NW	SW	31	4S	8W	BEAVERHEAD	
5	28.47		SE	SW	31	4S	8W	BEAVERHEAD	
6	38.62		SE	SE	35	4S	9W	BEAVERHEAD	
7	34.49		SW	SE	35	4S	9W	BEAVERHEAD	
8	1.84		SE	SE	SW	35	4S	9W	BEAVERHEAD
9	35.41		NW	SE	36	4S	9W	BEAVERHEAD	
10	0.75		NE	SW	SE	36	4S	9W	BEAVERHEAD
11	6.46		NW	SW	SE	36	4S	9W	BEAVERHEAD
12	0.51		SW	SW	SE	36	4S	9W	BEAVERHEAD
13	35.81		NE	SW	36	4S	9W	BEAVERHEAD	
14	28.92		SE	SW	36	4S	9W	BEAVERHEAD	
15	27.55		SW	SW	36	4S	9W	BEAVERHEAD	
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17	26.63		SE	NW	6	5S	8W	BEAVERHEAD	
18	1.90		NW	NW	NW	1	5S	9W	BEAVERHEAD
19	1.31		SW	NW	NW	1	5S	9W	BEAVERHEAD
20	33.06		NW	NW	NW	1	5S	9W	BEAVERHEAD
21	0.92		NW	SW	NW	1	5S	9W	BEAVERHEAD
22	34.95		NE	NE	2	5S	9W	BEAVERHEAD	
23	29.43		NW	NE	2	5S	9W	BEAVERHEAD	
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25	30.82		SW	NE	2	5S	9W	BEAVERHEAD	
26	30.76		NE	NW	2	5S	9W	BEAVERHEAD	
27	26.17		SE	NW	2	5S	9W	BEAVERHEAD	
28	34.89		SW	NW	2	5S	9W	BEAVERHEAD	
29	2.61		NE	NE	SE	2	5S	9W	BEAVERHEAD
30	2.50		NW	NE	SE	2	5S	9W	BEAVERHEAD
31	28.98		NW	SE	2	5S	9W	BEAVERHEAD	
32	0.46		NW	SW	SE	2	5S	9W	BEAVERHEAD
33	40.00		NE	SW	2	5S	9W	BEAVERHEAD	
34	33.57		NW	SW	2	5S	9W	BEAVERHEAD	
35	21.17		SE	SW	2	5S	9W	BEAVERHEAD	
36	36.79		SW	SW	2	5S	9W	BEAVERHEAD	
37	16.10		SE	SE	3	5S	9W	BEAVERHEAD	
Total:	852.65								

Remarks:

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184593-00	184594-00	184595-00	184596-00	184597-00	184598-00	184599-00
184600-00	184601-00	184602-00	184603-00	184604-00	184605-00	184606-00

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AERIAL PHOTOGRAPH NO(S). CXM 2FF-103, CXM 2FF-178, CXM 2FF-176, CXM 3FF-40 , DATED 08/01/1965, 07/31/1965 , APPEARS TO INDICATE 337.10 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184599-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

Priority Date: OCTOBER 18, 1900

Type of Historical Right: FILED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 1.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 577.24

Source Name: UNNAMED TRIBUTARY OF BIRCH CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS WARM SPRINGS CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWNW	11	5S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	28.92		SENW	31	4S	8W	BEAVERHEAD
2	28.47		SWNW	31	4S	8W	BEAVERHEAD
3	38.16		NESW	31	4S	8W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	22.04		NWSW	31	4S	8W	BEAVERHEAD
5	28.47		SESW	31	4S	8W	BEAVERHEAD
6	35.41		NWSE	36	4S	9W	BEAVERHEAD
7	0.75		NESWSE	36	4S	9W	BEAVERHEAD
8	6.46		NWSWSE	36	4S	9W	BEAVERHEAD
9	0.51		SWSWSE	36	4S	9W	BEAVERHEAD
10	35.81		NESW	36	4S	9W	BEAVERHEAD
11	28.92		SESW	36	4S	9W	BEAVERHEAD
12	27.55		SWSW	36	4S	9W	BEAVERHEAD
13	28.72		NENW	6	5S	8W	BEAVERHEAD
14	26.63		SENW	6	5S	8W	BEAVERHEAD
15	1.90		NWNENW	1	5S	9W	BEAVERHEAD
16	1.31		SWNENW	1	5S	9W	BEAVERHEAD
17	33.06		NWNW	1	5S	9W	BEAVERHEAD
18	0.92		NWSWNW	1	5S	9W	BEAVERHEAD
19	31.65		NENE	2	5S	9W	BEAVERHEAD
20	4.70		SEWNNE	2	5S	9W	BEAVERHEAD
21	34.49		SENE	2	5S	9W	BEAVERHEAD
22	30.82		SWNE	2	5S	9W	BEAVERHEAD
23	3.80		SESENE	2	5S	9W	BEAVERHEAD
24	2.61		NENESE	2	5S	9W	BEAVERHEAD
25	2.50		NWNESE	2	5S	9W	BEAVERHEAD
26	28.98		NWSE	2	5S	9W	BEAVERHEAD
27	0.46		NWSWSE	2	5S	9W	BEAVERHEAD
28	33.55		NESW	2	5S	9W	BEAVERHEAD
29	21.17		SESW	2	5S	9W	BEAVERHEAD
30	3.60		NESWSW	2	5S	9W	BEAVERHEAD
31	4.90		SESWSW	2	5S	9W	BEAVERHEAD
Total:	577.24						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

184593-00 184594-00 184595-00 184596-00 184597-00 184598-00 184599-00
 184600-00 184601-00 184602-00 184603-00 184604-00 184605-00 184606-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 10.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-103, CXM 2FF-178, CXM 2FF-176 , DATED 07/31/1965 , APPEARS TO INDICATE 336.90 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184600-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

Priority Date: OCTOBER 18, 1900

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.25 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 552.10

Source Name: UNNAMED TRIBUTARY OF BIRCH CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS COLD SPRING CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNW	1	5S	9W	BEAVERHEAD

Diversion Means: HEADGATE

ACCORDING TO THE CLAIMANT, 3 SPRINGS CONTRIBUTE TO COLD SPRING CREEK. SPRING 1 IS LOCATED IN THE SESWSW, SPRING 2 IN THE NWNESE AND SPRING 3 IN THE E2SENE ALL IN SEC 2, TWP 05S, RGE 09W, BEAVERHEAD COUNTY. ON OCCASION SPRING 1 IS DIVERTED SEPARATELY FROM THE OTHERS AND DITCHED IN A NORTHERLY DIRECTION.

Period of Use: MARCH 15 TO NOVEMBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	28.92		SE	31	4S	8W	BEAVERHEAD
2	28.47		SW	31	4S	8W	BEAVERHEAD
3	38.16		NE	31	4S	8W	BEAVERHEAD
4	22.04		NW	31	4S	8W	BEAVERHEAD
5	28.47		SE	31	4S	8W	BEAVERHEAD
6	35.41		NW	36	4S	9W	BEAVERHEAD
7	0.75		NE	36	4S	9W	BEAVERHEAD
8	6.46		NW	36	4S	9W	BEAVERHEAD
9	0.51		SW	36	4S	9W	BEAVERHEAD
10	35.81		NE	36	4S	9W	BEAVERHEAD
11	28.92		SE	36	4S	9W	BEAVERHEAD
12	27.55		SW	36	4S	9W	BEAVERHEAD
13	28.72		NE	6	5S	8W	BEAVERHEAD
14	1.90		NW	1	5S	9W	BEAVERHEAD
15	1.31		SW	1	5S	9W	BEAVERHEAD
16	26.63		NW	1	5S	9W	BEAVERHEAD
17	33.06		NW	1	5S	9W	BEAVERHEAD
18	0.92		NW	1	5S	9W	BEAVERHEAD
19	31.65		NE	2	5S	9W	BEAVERHEAD
20	4.70		SE	2	5S	9W	BEAVERHEAD
21	34.49		SE	2	5S	9W	BEAVERHEAD
22	30.82		SW	2	5S	9W	BEAVERHEAD
23	3.80		SE	2	5S	9W	BEAVERHEAD
24	2.50		NW	2	5S	9W	BEAVERHEAD
25	28.98		NW	2	5S	9W	BEAVERHEAD
26	0.46		NW	2	5S	9W	BEAVERHEAD
27	29.80		NE	2	5S	9W	BEAVERHEAD
28	4.13		NE	2	5S	9W	BEAVERHEAD
29	6.11		NW	2	5S	9W	BEAVERHEAD
30	0.41		SW	2	5S	9W	BEAVERHEAD
31	0.24		SE	2	5S	9W	BEAVERHEAD
Total:	552.10						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

184593-00 184594-00 184595-00 184596-00 184597-00 184598-00 184599-00
 184600-00 184601-00 184602-00 184603-00 184604-00 184605-00 184606-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

184600-00 184610-00

THE MAXIMUM ACRES WAS AMENDED BY THE CLAIMANT ON 02/15/1996.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-103, CXM 2FF-176, CXM 2FF-178 , DATED 07/31/1965 , APPEARS TO INDICATE 319.60 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184601-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

Priority Date: SEPTEMBER 9, 1915

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 224.40 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 227.64

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESESW	36	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MARCH 15 TO NOVEMBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	28.92		SESW	31	4S	8W	BEAVERHEAD
2	28.47		SWNW	31	4S	8W	BEAVERHEAD
3	38.16		NESW	31	4S	8W	BEAVERHEAD
4	22.04		NWSW	31	4S	8W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5	28.47		SE	31	4S	8W	BEAVERHEAD
6	6.95		NE	36	4S	9W	BEAVERHEAD
7	7.51		SE	36	4S	9W	BEAVERHEAD
8	5.00		SW	36	4S	9W	BEAVERHEAD
9	5.07		NW	36	4S	9W	BEAVERHEAD
10	0.19		SW	36	4S	9W	BEAVERHEAD
11	1.51		SE	36	4S	9W	BEAVERHEAD
12	28.72		NE	6	5S	8W	BEAVERHEAD
13	26.63		SE	6	5S	8W	BEAVERHEAD
Total:	227.64						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

184593-00	184594-00	184595-00	184596-00	184597-00	184598-00	184599-00
184600-00	184601-00	184602-00	184603-00	184604-00	184605-00	184606-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/29/2004: SOURCE, PRIORITY DATE, TYPE OF HISTORICAL RIGHT.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-178, CXM 2FF-103 , DATED 07/31/1965 , APPEARS TO INDICATE 124.50 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184602-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

Priority Date: SEPTEMBER 9, 1915

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 443.87

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWNE	2	5S	9W	BEAVERHEAD
Diversion Means: HEADGATE						
2		NENENE	2	5S	9W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: VIPOND DITCH NO. 1						
3		SESWSW	36	4S	9W	BEAVERHEAD
Diversion Means: HEADGATE						
Ditch Name: VIPOND DITCH NO. 2						

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		SWSWSW	36	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

5		NENSW	36	4S	9W	BEAVERHEAD
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Diversion Means: HEADGATE

WATER DIVERTED FROM POINT OF DIVERSION NO. 4 IS CONVEYED TO SECONDARY DIVERSIONS LOCATED IN THE NENWSE AND THE SENWSE OF SEC 36, TWP 04S, RGE 09W, BEAVERHEAD COUNTY.

Period of Use: MARCH 15 TO NOVEMBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	28.92		SEnw	31	4S	8W	BEAVERHEAD
2	28.47		SWNW	31	4S	8W	BEAVERHEAD
3	38.16		NESW	31	4S	8W	BEAVERHEAD
4	22.04		NWSW	31	4S	8W	BEAVERHEAD
5	28.47		SESW	31	4S	8W	BEAVERHEAD
6	35.41		NWSE	36	4S	9W	BEAVERHEAD
7	0.75		NESWSE	36	4S	9W	BEAVERHEAD
8	6.46		NWSWSE	36	4S	9W	BEAVERHEAD
9	0.51		SWSWSE	36	4S	9W	BEAVERHEAD
10	35.81		NESW	36	4S	9W	BEAVERHEAD
11	28.92		SESW	36	4S	9W	BEAVERHEAD
12	27.55		SWSW	36	4S	9W	BEAVERHEAD
13	28.72		NENW	6	5S	8W	BEAVERHEAD
14	26.63		SEnw	6	5S	8W	BEAVERHEAD
15	1.90		NWNENW	1	5S	9W	BEAVERHEAD
16	1.31		SWNENW	1	5S	9W	BEAVERHEAD
17	33.06		NWNW	1	5S	9W	BEAVERHEAD
18	0.92		NWSWNW	1	5S	9W	BEAVERHEAD
19	30.15		NENE	2	5S	9W	BEAVERHEAD
20	3.71		SEnwNE	2	5S	9W	BEAVERHEAD
21	28.28		SENE	2	5S	9W	BEAVERHEAD
22	7.10		NESWNE	2	5S	9W	BEAVERHEAD
23	0.62		NWSWNE	2	5S	9W	BEAVERHEAD

Total: 443.87

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

184593-00 184594-00 184595-00 184596-00 184597-00 184598-00 184599-00
 184600-00 184601-00 184602-00 184603-00 184604-00 184605-00 184606-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

184602-00 184615-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/29/2004: SOURCE, PRIORITY DATE, TYPE OF HISTORICAL RIGHT.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-103, CXM 2FF-178, CXM 2FF-176 , DATED 07/31/1965 , APPEARS TO INDICATE 244.30 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184603-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

Priority Date: SEPTEMBER 9, 1915

Type of Historical Right: USE

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 2.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 971.47

Source Name: BIRCH CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SW	NESW	10	5S	9W BEAVERHEAD
Diversion Means:	HEADGATE					
2		SW	SESE	3	5S	9W BEAVERHEAD
Diversion Means:	HEADGATE					
3		SW	SESE	3	5S	9W BEAVERHEAD
Diversion Means:	HEADGATE					
4		NE	SWNE	2	5S	9W BEAVERHEAD
Diversion Means:	HEADGATE					

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5		NENENE	2	5S	9W	BEAVERHEAD
Diversion Means: HEADGATE						
6		SESWSW	36	4S	9W	BEAVERHEAD
Diversion Means: HEADGATE						
7		SWSWSW	36	4S	9W	BEAVERHEAD
Diversion Means: HEADGATE						
8		NENESW	36	4S	9W	BEAVERHEAD
Diversion Means: HEADGATE						

WATER DIVERTED FROM POINT OF DIVERSION NO. 7 IS CONVEYED TO SECONDARY DIVERSIONS LOCATED IN THE NENWSE AND THE SENWSE OF SEC 36, TWP 04S, RGE 09W, BEAVERHEAD COUNTY.

Period of Use: MARCH 15 TO NOVEMBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	28.92		SENW	31	4S	8W	BEAVERHEAD
2	28.47		SWNW	31	4S	8W	BEAVERHEAD
3	38.16		NESW	31	4S	8W	BEAVERHEAD
4	22.04		NWSW	31	4S	8W	BEAVERHEAD
5	28.47		SESW	31	4S	8W	BEAVERHEAD
6	38.62		SESE	35	4S	9W	BEAVERHEAD
7	34.49		SWSE	35	4S	9W	BEAVERHEAD
8	1.84		SESESW	35	4S	9W	BEAVERHEAD
9	35.41		NWSE	36	4S	9W	BEAVERHEAD
10	0.75		NESWSE	36	4S	9W	BEAVERHEAD
11	6.46		NWSWSE	36	4S	9W	BEAVERHEAD
12	0.51		SWSWSE	36	4S	9W	BEAVERHEAD
13	35.81		NESW	36	4S	9W	BEAVERHEAD
14	28.92		SESW	36	4S	9W	BEAVERHEAD
15	27.55		SWSW	36	4S	9W	BEAVERHEAD
16	28.72		NENW	6	5S	8W	BEAVERHEAD
17	26.63		SENW	6	5S	8W	BEAVERHEAD
18	1.90		NWNENW	1	5S	9W	BEAVERHEAD
19	1.31		SWNENW	1	5S	9W	BEAVERHEAD
20	33.06		NWNW	1	5S	9W	BEAVERHEAD
21	0.92		NWSWNW	1	5S	9W	BEAVERHEAD
22	34.95		NENE	2	5S	9W	BEAVERHEAD
23	29.43		NWNE	2	5S	9W	BEAVERHEAD
24	34.49		SENE	2	5S	9W	BEAVERHEAD
25	30.82		SWNE	2	5S	9W	BEAVERHEAD
26	30.76		NENW	2	5S	9W	BEAVERHEAD
27	26.17		SENW	2	5S	9W	BEAVERHEAD
28	34.89		SWNW	2	5S	9W	BEAVERHEAD
29	2.61		NENESE	2	5S	9W	BEAVERHEAD
30	2.50		NWNESE	2	5S	9W	BEAVERHEAD
31	28.98		NWSE	2	5S	9W	BEAVERHEAD
32	0.46		NWSWSE	2	5S	9W	BEAVERHEAD
33	40.00		NESW	2	5S	9W	BEAVERHEAD
34	33.57		NWSW	2	5S	9W	BEAVERHEAD
35	21.17		SESW	2	5S	9W	BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
36	38.17		SWSW	2	5S	9W	BEAVERHEAD
37	22.50		SESE	3	5S	9W	BEAVERHEAD
38	34.89		NENE	10	5S	9W	BEAVERHEAD
39	17.91		NWNE	10	5S	9W	BEAVERHEAD
40	3.67		NWSENE	10	5S	9W	BEAVERHEAD
41	21.58		SWNE	10	5S	9W	BEAVERHEAD
42	22.50		SENE	10	5S	9W	BEAVERHEAD
43	3.11		NWNESW	10	5S	9W	BEAVERHEAD
44	1.60		NENWNW	11	5S	9W	BEAVERHEAD
45	2.50		NWNWNW	11	5S	9W	BEAVERHEAD
46	0.48		SENE	11	5S	9W	BEAVERHEAD
47	2.50		SWNWNW	11	5S	9W	BEAVERHEAD
48	0.30		NWSWNW	11	5S	9W	BEAVERHEAD
Total:	971.47						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

184593-00 184594-00 184595-00 184596-00 184597-00 184598-00 184599-00
 184600-00 184601-00 184602-00 184603-00 184604-00 184605-00 184606-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/29/2004: SOURCE, PRIORITY DATE, TYPE OF HISTORICAL RIGHT.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

AERIAL PHOTOGRAPH NO(S). CXM-2FF-103, CXM-2FF-178, CXM-2FF-176 , DATED 07/31/65 , APPEARS TO INDICATE 342.10 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184604-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

Priority Date: SEPTEMBER 9, 1915

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 330.13

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENE	2	5S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
	Ditch Name:	VIPOND DITCH NO. 1				
2		SESWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		SWSWSW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				
4		NENESW	36	4S	9W	BEAVERHEAD
	Diversion Means:	HEADGATE				

WATER FROM POINT OF DIVERSION NO. 3 IS CONVEYED TO SECONDARY DIVERSIONS LOCATED IN THE NENWSE AND THE SENWSE OF SEC 36, TWP 04S, RGE 09W, BEAVERHEAD COUNTY.

Period of Use: MARCH 15 TO NOVEMBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	28.92		SE	31	4S	8W	BEAVERHEAD
2	28.47		SW	31	4S	8W	BEAVERHEAD
3	38.16		NE	31	4S	8W	BEAVERHEAD
4	22.04		NW	31	4S	8W	BEAVERHEAD
5	28.47		SE	31	4S	8W	BEAVERHEAD
6	35.41		NW	36	4S	9W	BEAVERHEAD
7	0.75		NE	36	4S	9W	BEAVERHEAD
8	6.46		NW	36	4S	9W	BEAVERHEAD
9	0.51		SW	36	4S	9W	BEAVERHEAD
10	35.81		NE	36	4S	9W	BEAVERHEAD
11	26.84		SE	36	4S	9W	BEAVERHEAD
12	22.94		SW	36	4S	9W	BEAVERHEAD
13	28.72		NE	6	5S	8W	BEAVERHEAD
14	26.63		SE	6	5S	8W	BEAVERHEAD
Total:	330.13						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

184593-00 184594-00 184595-00 184596-00 184597-00 184598-00 184599-00
 184600-00 184601-00 184602-00 184603-00 184604-00 184605-00 184606-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/29/2004: SOURCE, PRIORITY DATE, TYPE OF HISTORICAL RIGHT.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

AERIAL PHOTOGRAPH NO(S). CXM 2FF-103, CXM 2FF-178 , DATED 07/31/1965 , APPEARS TO INDICATE 127.70 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184605-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

Priority Date: JULY 1, 1881

Type of Historical Right: DECREE

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 224.40 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 14.00

Source Name: BIRCH CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENSW	36	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE
Ditch Name: RUSSELL DITCH NO. 1

Period of Use: MARCH 15 TO NOVEMBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	4.70		NENWSE	36	4S	9W	BEAVERHEAD
2	9.30		NWNWSE	36	4S	9W	BEAVERHEAD
Total:	14.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

184593-00	184594-00	184595-00	184596-00	184597-00	184598-00	184599-00
184600-00	184601-00	184602-00	184603-00	184604-00	184605-00	184606-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

184605-00 184616-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 80 MINER'S INCHES DECREED IN CASE NO. 874 , BEAVERHEAD COUNTY. 119114-00, 184605-00, 184606-00.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 10.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184606-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

Priority Date: JULY 1, 1881

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 336.60 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 38.57

Source Name: SPRING, UNNAMED TRIBUTARY OF BIRCH CREEK

Source Type: SURFACE WATER

SPRINGS ORIGINATE IN THE SOUTH CHANNEL OF BIRCH CREEK BETWEEN THE OLD SELWAY DITCH (SWSESW) AND RUSSELL DITCH NO. 3 (NENWSE) IN SEC 36, TWP 04S, RGE 09W.

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWSE	36	4S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
2		NENWSE	36	4S	9W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		RUSSELL DITCH NO. 3				

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
3		NENWSE	36	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE
Ditch Name: RUSSELL DITCH NO. 2
Period of Use: MARCH 15 TO NOVEMBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	15.15		SEnw	31	4S	8W	BEAVERHEAD
2	12.17		SWNW	31	4S	8W	BEAVERHEAD
3	11.25		NWSE	36	4S	9W	BEAVERHEAD
Total:	38.57						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

184593-00	184594-00	184595-00	184596-00	184597-00	184598-00	184599-00
184600-00	184601-00	184602-00	184603-00	184604-00	184605-00	184606-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. THE SUM OF THE CLAIMED FLOW RATES EXCEEDS THE 80 MINER'S INCHES DECREED IN CASE NO. 874 , BEAVERHEAD COUNTY. 119114-00, 184605-00, 184606-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184607-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: SEPTEMBER 20, 1903

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 12.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 1,265.79

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESW	27	3S	9W	BEAVERHEAD

Diversion Means: HEADGATE

2		SESEW	34	3S	9W	BEAVERHEAD
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Diversion Means: HEADGATE

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	4.90		SW	NENW	3	4S	9W	BEAVERHEAD	
2	1.37		SE	NWNW	3	4S	9W	BEAVERHEAD	
3	16.56			SE	NW	3	4S	9W	BEAVERHEAD
4	18.05			SW	NW	3	4S	9W	BEAVERHEAD
5	18.36			SE	SE	3	4S	9W	BEAVERHEAD
6	24.79			SW	SE	3	4S	9W	BEAVERHEAD
7	23.86			NE	SW	3	4S	9W	BEAVERHEAD
8	22.58			NW	SW	3	4S	9W	BEAVERHEAD
9	23.64			SE	SW	3	4S	9W	BEAVERHEAD
10	26.17			S	SW	3	4S	9W	BEAVERHEAD
11	1.83		NE	SE	NE	9	4S	9W	BEAVERHEAD
12	6.43		SE	SE	NE	9	4S	9W	BEAVERHEAD
13	4.59		NE	NE	SE	9	4S	9W	BEAVERHEAD
14	4.59		SE	NE	SE	9	4S	9W	BEAVERHEAD
15	14.69			SE	SE	9	4S	9W	BEAVERHEAD
16	40.00			NE	NE	10	4S	9W	BEAVERHEAD
17	39.72			NW	NE	10	4S	9W	BEAVERHEAD
18	40.00			SE	NE	10	4S	9W	BEAVERHEAD
19	36.27			SW	NE	10	4S	9W	BEAVERHEAD
20	33.98			NE	NW	10	4S	9W	BEAVERHEAD
21	30.30			NW	NW	10	4S	9W	BEAVERHEAD
22	34.40			SE	NW	10	4S	9W	BEAVERHEAD
23	40.00			SW	NW	10	4S	9W	BEAVERHEAD
24	27.55			NE	SE	10	4S	9W	BEAVERHEAD
25	28.93			NW	SE	10	4S	9W	BEAVERHEAD
26	28.01			SE	SE	10	4S	9W	BEAVERHEAD
27	28.92			SW	SE	10	4S	9W	BEAVERHEAD
28	36.73			NE	SW	10	4S	9W	BEAVERHEAD
29	40.00			NW	SW	10	4S	9W	BEAVERHEAD
30	40.00			SE	SW	10	4S	9W	BEAVERHEAD
31	40.00			S	SW	10	4S	9W	BEAVERHEAD
32	18.69			NE	NE	15	4S	9W	BEAVERHEAD
33	36.73			NW	NE	15	4S	9W	BEAVERHEAD
34	13.15			SE	NE	15	4S	9W	BEAVERHEAD
35	35.35			SW	NE	15	4S	9W	BEAVERHEAD
36	40.00			NE	NW	15	4S	9W	BEAVERHEAD
37	36.00			NW	NW	15	4S	9W	BEAVERHEAD
38	40.00			SE	NW	15	4S	9W	BEAVERHEAD
39	36.73			SW	NW	15	4S	9W	BEAVERHEAD
40	0.23			NW	NE	15	4S	9W	BEAVERHEAD
41	39.66			NW	SE	15	4S	9W	BEAVERHEAD
42	1.39			NW	SE	15	4S	9W	BEAVERHEAD
43	3.21			SW	SE	15	4S	9W	BEAVERHEAD
44	38.10			SW	SE	15	4S	9W	BEAVERHEAD
45	40.00			NE	SW	15	4S	9W	BEAVERHEAD
46	37.19			NW	SW	15	4S	9W	BEAVERHEAD
47	40.00			SE	SW	15	4S	9W	BEAVERHEAD
48	32.14			S	SW	15	4S	9W	BEAVERHEAD

Total: 1,265.79

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

184582-00 184583-00 184584-00 184585-00 184586-00 184587-00 184588-00
184589-00 184590-00 184591-00 184607-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/28/1991: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184608-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

***Priority Date:** DECEMBER 31, 1872

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BIRCH CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS LOUGHRIDGE WARM SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNW	11	5S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: MANTLE DITCH

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SW	31	4S	8W	BEAVERHEAD
2			S2	36	4S	9W	BEAVERHEAD
3			E2NW	6	5S	8W	BEAVERHEAD
4			NW	1	5S	9W	BEAVERHEAD
5				2	5S	9W	BEAVERHEAD
6			NWNW	11	5S	9W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

184595-00 184608-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184609-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

Priority Date: JUNE 7, 1883

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENESE	3	5S	9W	BEAVERHEAD

Diversion Means: DITCH

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2S2	35	4S	9W	BEAVERHEAD
2				2	5S	9W	BEAVERHEAD
3			E2E2	3	5S	9W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

184597-00 184609-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184610-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

Priority Date: OCTOBER 18, 1900

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF BIRCH CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS COLD SPRING CREEK (OLD CREEK CHANNEL)

THE SOURCE IS THREE SPRINGS THAT ARE LOCATED IN THE SESWSW, NWNESE AND E2SENE OF SEC 2, TWP 05S, RGE 09W.

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			2	5S	9W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1				2	5S	9W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

184600-00 184610-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184611-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

Priority Date: SEPTEMBER 20, 1903

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSW	32	4S	8W	BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: SELWAY DITCH

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSW	32	4S	8W	BEAVERHEAD
2			NWSW	4	5S	8W	BEAVERHEAD
3			N2	5	5S	8W	BEAVERHEAD
4			NESE	5	5S	8W	BEAVERHEAD

Remarks:

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 01/15/1996.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184612-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

GARRISON RANCHES INC
PO BOX 320006
GLEN, MT 59732 0006

HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: AUGUST 11, 1888

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		W2SW	32	4S	8W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		W2SW	32	4S	8W	MADISON
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: APRIL 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2SW	32	4S	8W	BEAVERHEAD
2			W2SW	32	4S	8W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184613-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: GARRISON RANCHES INC
PO BOX 320006
GLEN, MT 59732 0006

HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431
OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: NOVEMBER 4, 1885

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1	NENE	5	5S	8W	BEAVERHEAD
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
2	1	NENE	5	5S	8W	MADISON
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
3	2	NWNE	5	5S	8W	BEAVERHEAD
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
4	2	NWNE	5	5S	8W	MADISON
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						
Period of Use: APRIL 1 TO OCTOBER 31						

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		1	NENE	5	5S	8W	BEAVERHEAD
2		1	NENE	5	5S	8W	MADISON
3		2	NWNE	5	5S	8W	BEAVERHEAD
4		2	NWNE	5	5S	8W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184614-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

Priority Date: MAY 28, 1889

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2	SWNE	6	5S	8W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2	SWNE	6	5S	8W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184615-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

***Priority Date:** DECEMBER 31, 1870

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** BIRCH CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESE	35	4S	9W	BEAVERHEAD	
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						
2		S2	36	4S	9W	BEAVERHEAD	
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						
3		NWNW	1	5S	9W	BEAVERHEAD	
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						
4		N2	2	5S	9W	BEAVERHEAD	
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						
5		SESE	3	5S	9W	BEAVERHEAD	
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
6		N2	10	5S	9W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESE	35	4S	9W	BEAVERHEAD
2			S2	36	4S	9W	BEAVERHEAD
3			NWNW	1	5S	9W	BEAVERHEAD
4			N2	2	5S	9W	BEAVERHEAD
5			SESE	3	5S	9W	BEAVERHEAD
6			N2	10	5S	9W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

184602-00 184615-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184616-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

Priority Date: JULY 1, 1881

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BIRCH CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2	36	4S	9W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2	36	4S	9W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

184605-00 184616-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184617-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: DECEMBER 8, 1922

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 2.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSENE	12	5S	9W	BEAVERHEAD

Diversion Means: DEVELOPED SPRING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSENE	12	5S	9W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184618-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

***Priority Date:** DECEMBER 31, 1920

Type of Historical Right: FILED

Purpose(use): STOCK

Flow Rate: 35.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNENW	1	5S	9W	BEAVERHEAD

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNENW	1	5S	9W	BEAVERHEAD

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME POINT OF DIVERSION.

104310-00 184618-00 184677-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

184618-00 184677-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 02/15/1996.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184619-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: JUNE 25, 1914

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENE	22	5S	9W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		N2	23	5S	9W	BEAVERHEAD
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: MARCH 15 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENE	22	5S	9W	BEAVERHEAD
2			N2	23	5S	9W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184620-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: JULY 16, 1916

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENE	22		5S	9W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		N2	23		5S	9W	BEAVERHEAD
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENE	22	5S	9W	BEAVERHEAD
2			N2	23	5S	9W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184621-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:

DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: DECEMBER 6, 1883

Type of Historical Right: USE

Purpose(usage): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	22	5S	9W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SE	22	5S	9W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184622-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners:
CORY L LAMEY
62211 HWY 43
WISE RIVER, MT 59762

KARI A LAMEY
62211 HWY 43
WISE RIVER, MT 59762

Priority Date: SEPTEMBER 9, 1915

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BIRCH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSENW	20	5S	9W	BEAVERHEAD

Diversion Means: DITCH

Ditch Name: HAINING DITCH

Period of Use: MARCH 1 TO NOVEMBER 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2	21	5S	9W	BEAVERHEAD
2			W2	22	5S	9W	BEAVERHEAD

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON BIRCH CREEK WITH A PRIORITY DATE PREDATING CASE NO. 6947 BEAVERHEAD COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184625-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: JUNE 2, 1913

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: DUBOIS CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNE	25	4S	11W	BEAVERHEAD

Diversion Means: DITCH

Ditch Name: MAST DITCH

THE MAST DITCH CONVEYS DUBOIS CREEK WATER TO BIRCH CREEK AND THE WILLOW CREEK DITCH CONVEYS WATER TO THE PLACE OF USE.

Period of Use: MAY 1 TO JULY 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2NW	27	5S	9W	BEAVERHEAD

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON DUBOIS CREEK WITH A PRIORITY DATE PREDATING CASE NO. 1822 BEAVERHEAD COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184627-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128
JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: DECEMBER 31, 1904

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** BIG HOLE RIVER
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3	NWSW	31	4S	7W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		3	NWSW	31	4S	7W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184628-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: APRIL 1, 1919

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SW	SE	3S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MARCH 1 TO NOVEMBER 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1				W2	3	4S	9W BEAVERHEAD
2			E2E2E2		9	4S	9W BEAVERHEAD
3					10	4S	9W BEAVERHEAD
4					15	4S	9W BEAVERHEAD

Remarks:

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 02/16/1996.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184629-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: APRIL 1, 1919

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: ROCK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	SESW	34	3S	9W BEAVERHEAD

Diversion Means: HEADGATE

Ditch Name: BIG HOLE DITCH

Period of Use: MARCH 1 TO NOVEMBER 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2	3	4S	9W	BEAVERHEAD
2			E2E2E2	9	4S	9W	BEAVERHEAD
3				10	4S	9W	BEAVERHEAD
4				15	4S	9W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

184589-00 184629-00

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 7/28/2006.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 02/16/1996.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON ROCK CREEK WITH A PRIORITY DATE PREDATING CASE NO. 2632 BEAVERHEAD COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184630-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: DECEMBER 30, 1882

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		E2NW	10	4S	9W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		NWNWSE	10	4S	9W	BEAVERHEAD
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

3		NENSW	10	4S	9W	BEAVERHEAD
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		E2NW	10	4S	9W	BEAVERHEAD
2		NWNWSE	10	4S	9W	BEAVERHEAD
3		NENESW	10	4S	9W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184631-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: JUNE 1, 1880

Type of Historical Right: DECREED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: LOST CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	NENE	16	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: AUGUST 6 TO JUNE 6

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESESE	9	4S	9W	BEAVERHEAD
2			W2W2W2	15	4S	9W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

184582-00 184631-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184632-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: JUNE 6, 1929

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: LOST CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	NENE	16	4S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: JUNE 6 TO AUGUST 6

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESESE	9	4S	9W	BEAVERHEAD
2			W2W2W2	15	4S	9W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

184583-00 184632-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON LOST CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 2839 BEAVERHEAD COUNTY.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184633-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: JUNE 15, 1945

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SE	SW	34	3S	9W BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MARCH 1 TO NOVEMBER 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1				3	4S	9W	BEAVERHEAD
2			E2	10	4S	9W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

184591-00 184633-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/16/1996: NUMBER OF ANIMAL UNITS, PERIOD OF USE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184634-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: FEBRUARY 19, 1890

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		E2	3	4S	9W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2	3	4S	9W	BEAVERHEAD

Remarks:

THE NUMBER OF ANIMAL UNITS WAS AMENDED BY THE CLAIMANT ON 02/16/1996.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184635-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: DECEMBER 30, 1882

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		E2E2	10	4S	9W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2E2	10	4S	9W	BEAVERHEAD

Remarks:

THE NUMBER OF ANIMAL UNITS WAS AMENDED BY THE CLAIMANT ON 02/16/1996.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184636-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: JUNE 8, 1880

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		E2	15	4S	9W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			E2	15	4S	9W	BEAVERHEAD

Remarks:

THE NUMBER OF ANIMAL UNITS WAS AMENDED BY THE CLAIMANT ON 02/16/1996.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184637-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

Priority Date: JUNE 8, 1880

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		E2E2	15	4S	9W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		E2E2E2	15	4S	9W	MADISON
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2E2	15	4S	9W	BEAVERHEAD
2			E2E2E2	15	4S	9W	MADISON

Remarks:

THE NUMBER OF ANIMAL UNITS WAS AMENDED BY THE CLAIMANT ON 02/16/1996.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184638-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

***Priority Date:** DECEMBER 31, 1920

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 18.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNW	15	4S	9W	BEAVERHEAD

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNWNW	15	4S	9W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184639-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

***Priority Date:** DECEMBER 31, 1945

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 20.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNW	15	4S	9W	BEAVERHEAD

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNWNW	15	4S	9W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184640-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

***Priority Date:** DECEMBER 31, 1960

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 15.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNENW	10	4S	9W	BEAVERHEAD

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNENW	10	4S	9W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184641-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

***Priority Date:** DECEMBER 31, 1955

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 15.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWNW	10	4S	9W	BEAVERHEAD

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENWNW	10	4S	9W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184642-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

***Priority Date:** DECEMBER 31, 1955

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 15.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNESW	15	4S	9W	BEAVERHEAD

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNESW	15	4S	9W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184643-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

***Priority Date:** DECEMBER 31, 1952

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 15.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESESE	15	4S	9W	BEAVERHEAD

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESESE	15	4S	9W	BEAVERHEAD

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184644-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: FLORENCE B FICK
2241 ST CLAIR AVE
SAINT PAUL, MN 55105 1153

KENNETH B FICK
2241 ST CLAIR AVE
SAINT PAUL, MN 55105 1153

Priority Date: JULY 1, 1919

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF MCCARTNEY CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS WILLOW SPRING NO. 2

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWN	7	3S	8W	MADISON

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		N2S	7	3S	8W	MADISON
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWN	7	3S	8W	MADISON
2			N2S	7	3S	8W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184645-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MCCULLOUGH RANCHES INC
PO BOX 88
MELROSE, MT 59743 0088

Priority Date: JUNE 3, 1911

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF MCCARTNEY CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N2N2N	NW	12	3S	9W	MADISON

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2N2N	NW	12	3S	9W MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184646-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MCCULLOUGH RANCHES INC
PO BOX 88
MELROSE, MT 59743 0088

Priority Date: JUNE 3, 1911

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF MCCARTNEY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2NWNW	12		3S	9W	MADISON

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2NWNW	12	3S	9W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184647-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SMITH 6 BAR S LIVESTOCK
PO BOX 320007
GLEN, MT 59732 0007

Priority Date: APRIL 3, 1920

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** EARLS GULCH

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SENE	35	3S	9W	MADISON

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		E	E2SE	35	3S	9W	MADISON
---	--	---	------	----	----	----	---------

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

3		SW	SWSE	35	3S	9W	MADISON
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

4		SE	SESESW	35	3S	9W	MADISON
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SE	SENE	35	3S	9W MADISON
2			E	E2SE	35	3S	9W MADISON
3			SW	SWSE	35	3S	9W MADISON
4			SE	SESEW	35	3S	9W MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184648-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SMITH 6 BAR S LIVESTOCK
PO BOX 320007
GLEN, MT 59732 0007

Priority Date: JUNE 22, 1931

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF EARLS GULCH

Source Type: SURFACE WATER

ALSO KNOWN AS EARLS POND SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENE	31	3S	8W	MADISON

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENE	31	3S	8W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184649-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SMITH 6 BAR S LIVESTOCK
PO BOX 320007
GLEN, MT 59732 0007

Priority Date: MAY 5, 1919

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** COTTONWOOD SPRING

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	6	NENW	24	3S	9W	MADISON

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		6	NENW	24	3S	9W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184650-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SMITH 6 BAR S LIVESTOCK
PO BOX 320007
GLEN, MT 59732 0007

Priority Date: JANUARY 8, 1927

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 5.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: GROUNDWATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3	NWNENW	30	3S	8W	MADISON

Diversion Means: PIPELINE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		3	NWNENW	30	3S	8W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184651-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: SMITH 6 BAR S LIVESTOCK
PO BOX 320007
GLEN, MT 59732 0007

Priority Date: JUNE 22, 1931

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 5.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF MCCARTNEY CREEK

Source Type: GROUNDWATER
ALSO KNOWN AS ELK SPRING

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2	NENWNE	30	3S	8W	MADISON

Diversion Means: PIPELINE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		2	E2NWNE	30	3S	8W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184652-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SMITH 6 BAR S LIVESTOCK
PO BOX 320007
GLEN, MT 59732 0007

Priority Date: OCTOBER 14, 1913

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 3.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF MCCARTNEY CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS LITTLE ELK SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSENE	19	3S	8W	MADISON

Diversion Means: PIPELINE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NE	19	3S	8W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184653-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: SMITH 6 BAR S LIVESTOCK
PO BOX 320007
GLEN, MT 59732 0007

Priority Date: OCTOBER 14, 1913

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2	SWSWNW	19	3S	8W	MADISON

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		2	SWSWNW	19	3S	8W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184654-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SMITH 6 BAR S LIVESTOCK
PO BOX 320007
GLEN, MT 59732 0007

Priority Date: OCTOBER 13, 1919

Type of Historical Right: FILED

Purpose(use): STOCK

Flow Rate: 15.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF MCCARTNEY CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS WOOLY SPRING NO. 1

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWNW	20	3S	8W	MADISON

Diversion Means: PIPELINE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNWSW	16	3S	8W	MADISON
2			NENWNE	20	3S	8W	MADISON
3			NESWNW	20	3S	8W	MADISON

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

184654-00 184655-00 184656-00 215709-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184655-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SMITH 6 BAR S LIVESTOCK
PO BOX 320007
GLEN, MT 59732 0007

Priority Date: OCTOBER 13, 1919

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF MCCARTNEY CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS WOOLY SPRING NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSEW	20	3S	8W	MADISON

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSEW	20	3S	8W	MADISON

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

184654-00 184655-00 184656-00 215709-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184656-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SMITH 6 BAR S LIVESTOCK
PO BOX 320007
GLEN, MT 59732 0007

Priority Date: OCTOBER 13, 1919

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF MCCARTNEY CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS WOOLY SPRING NO. 3

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESENW	20	3S	8W	MADISON

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESENW	20	3S	8W	MADISON

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

184654-00 184655-00 184656-00 215709-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184657-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SMITH 6 BAR S LIVESTOCK
PO BOX 320007
GLEN, MT 59732 0007

***Priority Date:** MAY 4, 1892

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 10.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF MCCARTNEY CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWNE	28	3S	8W	MADISON

Diversion Means: PIPELINE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENWNW	22	3S	8W	MADISON
2			SENWNE	28	3S	8W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184658-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SMITH 6 BAR S LIVESTOCK
PO BOX 320007
GLEN, MT 59732 0007

Priority Date: MAY 4, 1892

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** MCCARTNEY CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESE	21	3S	8W	MADISON	

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		E2NE	28	3S	8W	MADISON
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

3		NESE	28	3S	8W	MADISON
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

4		W2SWSE	28	3S	8W	MADISON
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESE	21	3S	8W	MADISON
2			E2NE	28	3S	8W	MADISON
3			NESE	28	3S	8W	MADISON
4			W2SWSE	28	3S	8W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184659-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: SMITH 6 BAR S LIVESTOCK
PO BOX 320007
GLEN, MT 59732 0007

Priority Date: MAY 4, 1892

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** MCCARTNEY CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSW	28	3S	8W	MADISON

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		NENE	32	3S	8W	MADISON
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSW	28	3S	8W	MADISON
2			NENE	32	3S	8W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184660-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: GARRISON RANCHES INC
PO BOX 320006
GLEN, MT 59732 0006

Priority Date: APRIL 14, 1936

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWNW	34	3S	8W	MADISON

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESWNW	34	3S	8W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184661-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: GARRISON RANCHES INC
PO BOX 320006
GLEN, MT 59732 0006

Priority Date: FEBRUARY 13, 1918

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNESW	34	3S	8W	MADISON

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNESW	34	3S	8W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184662-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: GARRISON RANCHES INC
PO BOX 320006
GLEN, MT 59732 0006

Priority Date: AUGUST 16, 1909

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER
ALSO KNOWN AS SCHULZ SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENESE	34	3S	8W	MADISON

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENESE	34	3S	8W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184663-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: GARRISON RANCHES INC
PO BOX 320006
GLEN, MT 59732 0006

Priority Date: NOVEMBER 17, 1884

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER
Source Type: SURFACE WATER
ALSO KNOWN AS WILLOW SPRING NO. 3

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1		SE	SENE	34	3S	8W	MADISON

***Period of Diversion:** JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		NW		35	3S	8W	MADISON
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***Period of Diversion:** JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
3		NWNENW	35	3S	8W	MADISON

***Period of Diversion:** JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

***Reservoir:** ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNENW	35	3S	8W	MADISON

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESENE	34	3S	8W	MADISON
2			NW	35	3S	8W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184664-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: GARRISON RANCHES INC
PO BOX 320006
GLEN, MT 59732 0006

Priority Date: NOVEMBER 17, 1884

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER
ALSO KNOWN AS WILLOW SPRING NO. 2

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNW	35	3S	8W	MADISON

***Period of Diversion:** JANUARY 1 TO DECEMBER 31
Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		NWNWNW	35	3S	8W	MADISON
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***Period of Diversion:** JANUARY 1 TO DECEMBER 31
Diversion Means: PIPELINE

3		NWNWNW	35	3S	8W	MADISON
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***Period of Diversion:** JANUARY 1 TO DECEMBER 31
Diversion Means: DITCH

THE PIPELINE AND DITCH ARE USED TO CONVEY WATER TO THE TROUGH AND STOCK POND.

*Reservoir: OFFSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNENW	35	3S	8W	MADISON

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENESE	25	3S	8W	MADISON
2			N2NW	35	3S	8W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184665-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: GARRISON RANCHES INC
PO BOX 320006
GLEN, MT 59732 0006

Priority Date: NOVEMBER 17, 1884

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

ALSO KNOWN AS WILLOW SPRING NO. 1

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N2NW	35	3S	8W	MADISON

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		NWNENW	35	3S	8W	MADISON
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Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

*Reservoir: ONSTREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NWNENW	35	3S	8W	MADISON

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2NW	35	3S	8W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184666-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: GARRISON RANCHES INC
PO BOX 320006
GLEN, MT 59732 0006

Priority Date: MARCH 15, 1922

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2	35	3S	8W	MADISON

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2	35	3S	8W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184667-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: GARRISON RANCHES INC
PO BOX 320006
GLEN, MT 59732 0006

Priority Date: SEPTEMBER 15, 1925

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 5.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: GROUNDWATER
ALSO KNOWN AS BRONCU SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S	2	4S	8W	MADISON

Diversion Means: DEVELOPED SPRING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S	2	4S	8W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184668-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: GARRISON RANCHES INC
PO BOX 320006
GLEN, MT 59732 0006

Priority Date: SEPTEMBER 21, 1938

Type of Historical Right: USE

Purpose(use): STOCK
Flow Rate: 3.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF SANDY HOLLOW
Source Type: GROUNDWATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWW	11	4S	8W	MADISON

Diversion Means: PIPELINE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSW	11	4S	8W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184669-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: GARRISON RANCHES INC
PO BOX 320006
GLEN, MT 59732 0006

Priority Date: AUGUST 20, 1903

Type of Historical Right: FILED

Purpose(use): STOCK

Flow Rate: 15.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: GROUNDWATER
ALSO KNOWN AS MUD SPRING NO. 1

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESENE	6	4S	7W	MADISON

Diversion Means: DEVELOPED SPRING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESENE	6	4S	7W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184670-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: GARRISON RANCHES INC
PO BOX 320006
GLEN, MT 59732 0006

Priority Date: AUGUST 20, 1903

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

ALSO KNOWN AS MUD SPRING NO. 2

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	6	4S	7W	MADISON

Diversion Means: PIPELINE

2		W2S	5	4S	7W	MADISON
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2S	WNW 5	4S	7W	MADISON
2		4	N	WNW 5	4S	7W	MADISON
3			SENE	6	4S	7W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184671-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: GARRISON RANCHES INC
PO BOX 320006
GLEN, MT 59732 0006

Priority Date: AUGUST 20, 1903

Type of Historical Right: FILED

Purpose(use): STOCK

Flow Rate: 8.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER
ALSO KNOWN AS CEDAR SPRINGS

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNE	9	4S	7W	MADISON

Diversion Means: PIPELINE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2NW	9	4S	7W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184672-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: GARRISON RANCHES INC
PO BOX 320006
GLEN, MT 59732 0006

Priority Date: AUGUST 20, 1903

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

ALSO KNOWN AS BUFFALO SPRINGS

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N2SE	9	4S	7W	MADISON

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2SE	9	4S	7W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184673-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: GARRISON RANCHES INC
PO BOX 320006
GLEN, MT 59732 0006

Priority Date: JULY 25, 1906

Type of Historical Right: FILED

Purpose(use): STOCK

Flow Rate: 15.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF NEZ PERCE CREEK

Source Type: GROUNDWATER

ALSO KNOWN AS NEZ PERCE SPRINGS

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	28	3S	7W	MADISON

Diversion Means: DEVELOPED SPRING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NW	28	3S	7W	MADISON

Remarks:

POINT OF DIVERSION AND PLACE OF USE ARE LOCATED IN COTTONWOOD LODGE , MINERAL SURVEY NO. 8964.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184674-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: GARRISON RANCHES INC
PO BOX 320006
GLEN, MT 59732 0006

Priority Date: AUGUST 16, 1889

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNE	31	4S	7W	MADISON

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNWNE	31	4S	7W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184675-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: GARRISON RANCHES INC
PO BOX 320006
GLEN, MT 59732 0006

Priority Date: OCTOBER 25, 1890

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1		NWN	WSW	29	4S	7W	MADISON

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Tw</u>	<u>Rge</u>	<u>County</u>
1			NWN	WSW	29	4S	7W MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184676-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: MOOSE CAMP CREEK GRAZING ASSN
% WILLIAM GARRISON
PO BOX 101
GLEN, MT 59732 0101

Priority Date: MARCH 14, 1922

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** CAMP CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2NWSE	19	2S	8W	MADISON
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
2		S2NWSE	19	2S	8W	SILVER BOW
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
3		N2SWSE	19	2S	8W	MADISON
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
4		N2SWSE	19	2S	8W	SILVER BOW
	Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
Period of Use:	JANUARY 1 TO DECEMBER 31					

Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2NWSE	19	2S	8W	MADISON
2		S2NWSE	19	2S	8W	SILVER BOW
3		N2SWSE	19	2S	8W	MADISON
4		N2SWSE	19	2S	8W	SILVER BOW

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

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Water Right Number: 41D 184677-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: HERITAGE WEST LLC
651 DON BISHOP RD
SANTA ROSA BEACH, FL 32459 3431

***Priority Date:** DECEMBER 31, 1920

Type of Historical Right: FILED

Purpose(use): MULTIPLE DOMESTIC

Flow Rate: 35.00 GPM

Volume: 8.00 AC-FT

Households: 2

Maximum Acres: 3.00

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNENW	1	5S	9W	BEAVERHEAD

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		NWNENW	1	5S	9W	BEAVERHEAD

Total: 3.00

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME POINT OF DIVERSION.

104310-00 184618-00 184677-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

184618-00 184677-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/16/1996: FLOW RATE, VOLUME.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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Water Right Number: 41D 184678-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

***Priority Date:** DECEMBER 31, 1941

Type of Historical Right: USE

Purpose(use): MULTIPLE DOMESTIC

Flow Rate: 18.00 GPM

Volume: 2.50 AC-FT

Households: 2

Maximum Acres: 0.25

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNW	15	4S	9W	BEAVERHEAD

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	0.25		NWNWNW	15	4S	9W	BEAVERHEAD

Total: 0.25

Remarks:

THE VOLUME WAS AMENDED BY THE CLAIMANT ON 02/16/1996.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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Water Right Number: 41D 184679-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

***Priority Date:** DECEMBER 31, 1940

Type of Historical Right: USE

Purpose(use): DOMESTIC

Flow Rate: 18.00 GPM

Volume: 1.40 AC-FT

Households: 1

Maximum Acres: 0.20

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESESE	15	4S	9W	BEAVERHEAD

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	0.20		NESESE	15	4S	9W	BEAVERHEAD

Total: 0.20

Remarks:

THE VOLUME WAS AMENDED BY THE CLAIMANT ON 02/16/1996.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 184680-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DAVID J HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

JAMES F HAGENBARTH
PO BOX 1128
DILLON, MT 59725 1128

***Priority Date:** DECEMBER 31, 1952

Type of Historical Right: USE

Purpose(use): MULTIPLE DOMESTIC

Flow Rate: 20.00 GPM

Volume: 2.60 AC-FT

Households: 2

Maximum Acres: 0.30

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESESE	15	4S	9W	BEAVERHEAD

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	0.30		SESESE	15	4S	9W	BEAVERHEAD

Total: 0.30

Remarks:

THE VOLUME WAS AMENDED BY THE CLAIMANT ON 02/16/1996.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 188089-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: KENEFICK RANCHES
50 ROSEDALE RD
CALISTOGA, CA 94515 1807

Priority Date: OCTOBER 18, 1907

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 6.25 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 222.00

Source Name: MUDD CREEK

Source Type: SURFACE WATER
ALSO KNOWN AS WILLIAMS OR HARRIS CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	15	1N	14W	DEER LODGE

Diversion Means: HEADGATE

Ditch Name: SEEFIELD DITCH NO. 2

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	207.00		E2	22	1N	14W	DEER LODGE
2	15.00		W2	22	1N	14W	DEER LODGE

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	222.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

188089-00 93392-00 93396-00 93397-00 93403-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE DEER LODGE COUNTY WATER RESOURCES SURVEY (1955) APPEARS TO INDICATE 43.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 378-32 , DATED 09/07/1979 , APPEARS TO INDICATE 248.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 189765-00 STATEMENT OF CLAIM

**Version: 1 -- ORIGINAL RIGHT
Status: WITHDRAWN**

**Owners: CLEMOW, MARK RANCHES INC
PO BOX 30112
BILLINGS, MT 59107 0112**

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): STOCK

Flow Rate:

Volume:

Source Name: JOHNSON CREEK

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 01/24/1995.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 189766-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: **WITHDRAWN**

Owners: CLEMOW, MARK RANCHES INC
PO BOX 30112
BILLINGS, MT 59107 0112

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): STOCK

Flow Rate:

Volume:

Source Name: JOHNSON CREEK

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 01/24/1995.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 189767-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: **WITHDRAWN**

Owners: CLEMOW, MARK RANCHES INC
PO BOX 30112
BILLINGS, MT 59107 0112

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): STOCK

Flow Rate:

Volume:

Source Name: JOHNSON CREEK

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 01/24/1995.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 189768-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: **WITHDRAWN**

Owners: CLEMOW, MARK RANCHES INC
PO BOX 30112
BILLINGS, MT 59107 0112

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): STOCK

Flow Rate:

Volume:

Source Name: JOHNSON CREEK

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 01/24/1995.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 190394-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: **WITHDRAWN**

Owners: CLEMOW, MARK RANCHES INC
PO BOX 30112
BILLINGS, MT 59107 0112

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): STOCK

Flow Rate:

Volume:

Source Name: UNNAMED TRIBUTARY OF JOHNSON CREEK

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 01/24/1995.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 190395-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BACON, RAY RANCH CORP
46651 HWY 43
WISE RIVER, MT 59762 9617

Priority Date: JULY 30, 1887

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 6.70 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 177.00

Source Name: FISHTRAP CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SE	SE	2N	13W	DEER LODGE

Diversion Means: HEADGATE

Ditch Name: CALVERT DITCH

Period of Use: MAY 1 TO AUGUST 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		NW	SENW	4	1N 13W	DEER LODGE
2	10.00		NE	SWNW	4	1N 13W	DEER LODGE
3	10.00		NW	SWNW	4	1N 13W	DEER LODGE
4	7.00		SE	SWNW	4	1N 13W	DEER LODGE
5	10.00		SW	SWNW	4	1N 13W	DEER LODGE
6	2.00		NE	NWSW	4	1N 13W	DEER LODGE
7	9.00		NW	NWSW	4	1N 13W	DEER LODGE
8	7.00		SW	NWSW	4	1N 13W	DEER LODGE
9	3.00		NW	SWSW	4	1N 13W	DEER LODGE
10	4.00		NE	NENE	5	1N 13W	DEER LODGE
11	6.00		SE	NENE	5	1N 13W	DEER LODGE
12	6.00		NE	SENE	5	1N 13W	DEER LODGE
13	7.00		SE	SENE	5	1N 13W	DEER LODGE
14	10.00		NE	NESE	5	1N 13W	DEER LODGE
15	3.00		NW	NESE	5	1N 13W	DEER LODGE
16	10.00		SE	NESE	5	1N 13W	DEER LODGE
17	8.00		SW	NESE	5	1N 13W	DEER LODGE
18	10.00		NW	SESE	5	1N 13W	DEER LODGE
19	9.00		NW	SESE	5	1N 13W	DEER LODGE
20	4.00		SE	SESE	5	1N 13W	DEER LODGE
21	8.00		SW	SESE	5	1N 13W	DEER LODGE
22	1.00		NE	SWSE	5	1N 13W	DEER LODGE
23	2.00		SE	SWSE	5	1N 13W	DEER LODGE
24	3.00		NW	NENE	8	1N 13W	DEER LODGE
25	2.00		SW	NENE	8	1N 13W	DEER LODGE
Total:	154.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

190395-00	190396-00	190405-00	92464-00	92465-00	92489-00	92490-00
92497-00	92498-00	92499-00	92500-00	92501-00	92511-00	92513-00
92514-00	92515-00	92517-00	92519-00	92521-00		

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 92464-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE REDUNDANT FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED. 92469-00, 190395-00, 190397-00, 190405-00.

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 92469-00, 190395-00, 190397-00, 190405-00, 196341-00.

THE TYPE OF RIGHT AND PRIORITY DATE ARE IN QUESTION. IT IS UNCLEAR IF THIS RIGHT IS BASED ON A 7/1886 USE RIGHT OR A 7/30/1887 FILED RIGHT.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 154.00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 190396-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BACON, RAY RANCH CORP
46651 HWY 43
WISE RIVER, MT 59762 9617

***Priority Date:** AUGUST 19, 1902

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 6.70 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 177.00

Source Name: FISHTRAP CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	SE	SE	2N	13W	DEER LODGE

Diversion Means: HEADGATE

Period of Use: MAY 1 TO AUGUST 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		NW	SENW	4	1N 13W	DEER LODGE
2	10.00		NE	SWNW	4	1N 13W	DEER LODGE
3	10.00		NW	SWNW	4	1N 13W	DEER LODGE
4	7.00		SE	SWNW	4	1N 13W	DEER LODGE
5	10.00		SW	SWNW	4	1N 13W	DEER LODGE
6	2.00		NE	NWSW	4	1N 13W	DEER LODGE
7	9.00		NW	NWSW	4	1N 13W	DEER LODGE
8	7.00		SW	NWSW	4	1N 13W	DEER LODGE
9	3.00		NW	SWSW	4	1N 13W	DEER LODGE
10	4.00		NE	NENE	5	1N 13W	DEER LODGE
11	6.00		SE	NENE	5	1N 13W	DEER LODGE
12	6.00		NE	SENE	5	1N 13W	DEER LODGE
13	7.00		SE	SENE	5	1N 13W	DEER LODGE
14	10.00		NE	NESE	5	1N 13W	DEER LODGE
15	3.00		NW	NESE	5	1N 13W	DEER LODGE
16	10.00		SE	NESE	5	1N 13W	DEER LODGE
17	8.00		SW	NESE	5	1N 13W	DEER LODGE
18	10.00		NW	SESE	5	1N 13W	DEER LODGE
19	9.00		NW	SESE	5	1N 13W	DEER LODGE
20	4.00		SE	SESE	5	1N 13W	DEER LODGE
21	8.00		SW	SESE	5	1N 13W	DEER LODGE
22	1.00		NE	SWSE	5	1N 13W	DEER LODGE
23	2.00		SE	SWSE	5	1N 13W	DEER LODGE
24	3.00		NW	NENE	8	1N 13W	DEER LODGE
25	2.00		SW	NENE	8	1N 13W	DEER LODGE
Total:	154.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

190395-00	190396-00	190405-00	92464-00	92465-00	92489-00	92490-00
92497-00	92498-00	92499-00	92500-00	92501-00	92511-00	92513-00
92514-00	92515-00	92517-00	92519-00	92521-00		

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 92464-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE MAXIMUM ACRES CLAIMED MAY BE QUESTIONABLE. THE SUM OF THE PARCEL ACRES IS 154.00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 190397-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BACON, RAY RANCH CORP
46651 HWY 43
WISE RIVER, MT 59762 9617

Priority Date: JULY 30, 1887

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.25 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 61.00

Source Name: FISHTRAP CREEK, WEST FORK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENESE	19	2N	14W	DEER LODGE

Diversion Means: HEADGATE

Ditch Name: PADDOCK DITCH

WATER DIVERTED FROM FISHTRAP CREEK, WEST FORK IS CONVEYED TO CALVERT CREEK WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POINT OF DIVERSION IN THE SESESE SEC 35 TWP 2N RGE 14W DEER LODGE COUNTY.

Period of Use: MAY 1 TO AUGUST 31

Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.00	SWNWNE	1	1N	14W	DEER LODGE
2	3.00	SWSENE	1	1N	14W	DEER LODGE
3	2.00	NESWNE	1	1N	14W	DEER LODGE
4	8.00	NWSWNE	1	1N	14W	DEER LODGE
5	9.00	SESWNE	1	1N	14W	DEER LODGE
6	10.00	SWSWNE	1	1N	14W	DEER LODGE
7	6.00	NWNENW	1	1N	14W	DEER LODGE
8	7.00	SEENW	1	1N	14W	DEER LODGE
9	4.00	SWNENW	1	1N	14W	DEER LODGE
10	6.00	NESENW	1	1N	14W	DEER LODGE
11	4.00	SESENW	1	1N	14W	DEER LODGE
Total:	61.00					

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

190397-00 92472-00

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 92472-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE REDUNDANT FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED. 92469-00, 190395-00, 190397-00, 190405-00.

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 92469-00, 190395-00, 190397-00, 190405-00, 196341-00.

THE TYPE OF RIGHT AND PRIORITY DATE ARE IN QUESTION. IT IS UNCLEAR IF THIS RIGHT IS BASED ON A 7/1886 USE RIGHT OR A 7/30/1887 FILED RIGHT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 190398-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: BACON, RAY RANCH CORP
46651 HWY 43
WISE RIVER, MT 59762 9617

Priority Date: JUNE 11, 1901

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 8.75 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 350.00

***Source Name:** FISHTRAP CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNE	26	2N	14W	DEER LODGE

Diversion Means: HEADGATE

Ditch Name: ANDERSON-GRUPE DITCH

CALVERT CREEK IS USED AS A NATURAL CARRIER TO CONVEY FISHTRAP CREEK WATER TO SECONDARY DIVERSIONS IN THE NWNWNE, SENWNE, NESENE, SEC 1 TWP 1N RGE 14W, DEER LODGE COUNTY.

Period of Use: MAY 1 TO AUGUST 31

Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr</u> <u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	23.00	NENE	1	1N	14W	DEER LODGE
2	24.00	NWNE	1	1N	14W	DEER LODGE
3	30.00	SENE	1	1N	14W	DEER LODGE
4	9.00	N2SWNE	1	1N	14W	DEER LODGE
5	3.00	E2NENW	1	1N	14W	DEER LODGE
6	2.00	NENESE	1	1N	14W	DEER LODGE
7	15.00	S2NESE	31	2N	13W	DEER LODGE
8	2.00	NWNWSE	31	2N	13W	DEER LODGE
9	17.00	S2NWSE	31	2N	13W	DEER LODGE
10	80.00	S2SE	31	2N	13W	DEER LODGE
11	145.00	SW	31	2N	13W	DEER LODGE
Total:	350.00					

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

190398-00 92466-00 92468-00 92469-00 92492-00 92493-00 92502-00
 92503-00 92507-00 92508-00 92509-00 92522-00

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 92469-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

CLAIM NOS. 92466-00, 92472-00, 92523-00, AND 190398-00 MAY BE REDUNDANT CLAIMS ON THE SAME HISTORIC APPROPRIATION OF WATER. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 92466-00, 92472-00, 92523-00, 190398-00, 196342-00.

THE DEER LODGE COUNTY WATER RESOURCES SURVEY (1955) APPEARS TO INDICATE 210.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 190402-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: BACON, RAY RANCH CORP
46651 HWY 43
WISE RIVER, MT 59762 9617

Priority Date: JULY 31, 1916

Type of Historical Right: USE

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 170.54 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 27.00

Source Name: FISHTRAP CREEK, WEST FORK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNW	26	2N	14W	DEER LODGE

Diversion Means: HEADGATE

Ditch Name: ANDERSON-THOMPSON DITCH

Period of Use: MAY 1 TO AUGUST 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	12.00		N2NWNE	7	1N	13W	DEER LODGE
2	15.00		N2N2NW	7	1N	13W	DEER LODGE
Total:	27.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

190402-00 92491-00

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 92491-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE DEER LODGE COUNTY WATER RESOURCES SURVEY (1955) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 190403-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: BACON, RAY RANCH CORP
46651 HWY 43
WISE RIVER, MT 59762 9617

Priority Date: JUNE 30, 1948

Type of Historical Right: USE

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 170.54 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 41.00

***Source Name:** SPRING, UNNAMED TRIBUTARY OF STEWART CREEK
Source Type: SURFACE WATER
ALSO KNOWN AS CORNER SPRING NO. 2

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNESW	1	1N	14W	DEER LODGE

Diversion Means: HEADGATE

Period of Use: MAY 1 TO AUGUST 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		NENENW	7	1N	13W	DEER LODGE
2	2.00		NWNENW	7	1N	13W	DEER LODGE
3	9.00		SENENW	7	1N	13W	DEER LODGE

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4	8.00		SW	NENW	7	1N 13W	DEER LODGE
5	7.00		NEN	WNW	7	1N 13W	DEER LODGE
6	4.00		NWN	WNW	7	1N 13W	DEER LODGE
7	5.00		SEN	WNW	7	1N 13W	DEER LODGE
8	2.00		SWN	WNW	7	1N 13W	DEER LODGE
9	1.00		NE	SENW	7	1N 13W	DEER LODGE
Total:	41.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

190403-00 92512-00 92518-00

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 92518-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE DEER LODGE COUNTY WATER RESOURCES SURVEY (1955) APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 190405-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: BACON, RAY RANCH CORP
46651 HWY 43
WISE RIVER, MT 59762 9617

Priority Date: JULY 30, 1887

Type of Historical Right: USE

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 282.74 GPM

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 25.00

Source Name: WASTE & SEEPAGE, UNNAMED TRIBUTARY OF FISHTRAP CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESESE	32	2N	13W	DEER LODGE

Diversion Means: HEADGATE

Period of Use: MAY 1 TO AUGUST 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	5.00		NENWNE	8	1N	13W	DEER LODGE
2	9.00		SENWNE	8	1N	13W	DEER LODGE
3	1.00		NWSENE	8	1N	13W	DEER LODGE
4	6.00		NESWNE	8	1N	13W	DEER LODGE

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5	4.00		NWSWNE	8	1N	13W	DEER LODGE
Total:	25.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

190395-00	190396-00	190405-00	92464-00	92465-00	92489-00	92490-00
92497-00	92498-00	92499-00	92500-00	92501-00	92511-00	92513-00
92514-00	92515-00	92517-00	92519-00	92521-00		

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 92521-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE REDUNDANT FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED. 92469-00, 190395-00, 190397-00, 190405-00.

THE TYPE OF HISTORICAL RIGHT, PRIORITY DATE, AND FLOW RATE MAY BE QUESTIONABLE. THE CLAIMS FOLLOWING THIS STATEMENT USE THE SAME FILED APPROPRIATION TO DOCUMENT THE RIGHT. THE COMBINED FLOW RATE FOR THIS GROUP OF CLAIMS EXCEEDS THE TOTAL OF THE ORIGINAL APPROPRIATION. 92469-00, 190395-00, 190397-00, 190405-00, 196341-00.

THE TYPE OF RIGHT AND PRIORITY DATE ARE IN QUESTION. IT IS UNCLEAR IF THIS RIGHT IS BASED ON A 7/1886 USE RIGHT OR A 7/30/1887 FILED RIGHT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 190416-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DENTON D HARRIS
PO BOX 309
PRESTON, ID 83263 0309

MOOSEHORN MINING CO
% DENTON HARRIS
PO BOX 309
PRESTON, ID 83263 0309

Priority Date: OCTOBER 7, 1909

Type of Historical Right: USE

Purpose(use): MINING

Flow Rate: 1.50 CFS

***Volume:** THIS WATER RIGHT IS LIMITED TO THE VOLUME OF WATER HISTORICALLY USED FOR MINING PURPOSES.

***Source Name:** UNNAMED TRIBUTARY OF RUBY CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENESE	12	3S	18W	BEAVERHEAD
	Diversion Means:	HEADGATE				
2		NENENE	13	3S	18W	BEAVERHEAD
	Diversion Means:	HEADGATE				
3		NWNESE	13	3S	18W	BEAVERHEAD
	Diversion Means:	HEADGATE				
4		NWNENE	24	3S	18W	BEAVERHEAD
	Diversion Means:	HEADGATE				

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5		SEWNW	24	3S	18W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO NOVEMBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			E2SE	12	3S	18W	BEAVERHEAD
2			E2E2NE	13	3S	18W	BEAVERHEAD
3			E2	24	3S	18W	BEAVERHEAD
4			N2NE	25	3S	18W	BEAVERHEAD

Remarks:

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 93365-00.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 190417-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DENTON D HARRIS
PO BOX 309
PRESTON, ID 83263 0309

MOOSEHORN MINING CO
% DENTON HARRIS
PO BOX 309
PRESTON, ID 83263 0309

Priority Date: OCTOBER 7, 1909

Type of Historical Right: USE

Purpose(use): MINING

Flow Rate: 1.00 CFS

***Volume:** THIS WATER RIGHT IS LIMITED TO THE VOLUME OF WATER HISTORICALLY USED FOR MINING PURPOSES.

***Source Name:** RUBY CREEK, WEST FORK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNENW	11	3S	18W	BEAVERHEAD
Diversion Means:	HEADGATE					
2		NESENW	11	3S	18W	BEAVERHEAD
Diversion Means:	HEADGATE					
3		SENWSE	11	3S	18W	BEAVERHEAD
Diversion Means:	HEADGATE					
4		NWNWNW	13	3S	18W	BEAVERHEAD
Diversion Means:	HEADGATE					

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
5		NWSE	13	3S	18W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: MAY 1 TO NOVEMBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNE	11	3S	18W	BEAVERHEAD
2			NENW	11	3S	18W	BEAVERHEAD
3			NESE	11	3S	18W	BEAVERHEAD
4			SWNE	11	3S	18W	BEAVERHEAD
5			E2NWSE	11	3S	18W	BEAVERHEAD
6			SESE	11	3S	18W	BEAVERHEAD
7			W2SWSW	12	3S	18W	BEAVERHEAD
8			NW	13	3S	18W	BEAVERHEAD
9			NESW	13	3S	18W	BEAVERHEAD

Remarks:

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 93365-00.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59711-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 191117-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: J & SG INVESTMENTS INC
525 BURMA RD
TWIN BRIDGES, MT 59754 9741

***Priority Date:** OCTOBER 15, 1884

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 6.06 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 160.00

***Source Name:** BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	36	4S	8W	MADISON

Diversion Means: HEADGATE

Ditch Name: LARSON-NARANCICH DITCH

2		SW	31	4S	7W	MADISON
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Diversion Means: HEADGATE

Ditch Name: FLYNN DITCH

Period of Use: APRIL 15 TO NOVEMBER 14

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	160.00		NW	32	4S	7W	MADISON
Total:	160.00						

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE MADISON COUNTY WATER RESOURCES SURVEY (1954) APPEARS TO INDICATE 89.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 178-50 , DATED 09/07/1979 , APPEARS TO INDICATE 138.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 191122-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: ANDERSON FAMILY TRUST
BRUCE AND CHRISTEEN ANDERSON
1502 GOLD AVE
BOZEMAN, MT 59715 2473

J & SG INVESTMENTS INC
525 BURMA RD
TWIN BRIDGES, MT 59754 9741

PATRICIA SHANNON
PO BOX 1
TWIN BRIDGES, MT 59754 0001

OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE OWNERSHIPS UPON REQUEST OF THE OWNERS.

Priority Date: APRIL 10, 1900

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 12.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 335.00

***Source Name:** BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESWNE	36	4S	8W	MADISON

Diversion Means: HEADGATE
Ditch Name: LARSON-NARANCICH DITCH
Period of Use: APRIL 15 TO NOVEMBER 14

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00		W2NWNW	28	4S	7W	MADISON
2	260.00			29	4S	7W	MADISON
3	55.00		NE	31	4S	7W	MADISON
Total:	335.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

191122-00 191123-00

AUTHORIZATION TO CHANGE PLACE OF USE, PURPOSE, PLACE OF STORAGE COMPLETED 12/18/1996. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE UPDATED IN THE CENTRALIZED RECORDS SYSTEM AFTER FINAL DECREE. SEE AUTHORIZATION TO CHANGE NO. 191122-00.

AUTHORIZATION TO CHANGE PLACE OF USE, PURPOSE COMPLETED 12/11/2000. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE UPDATED IN THE CENTRALIZED RECORDS SYSTEM AFTER FINAL DECREE. SEE AUTHORIZATION TO CHANGE NO. 191122-01.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

AN AMENDMENT WAS SUBMITTED ON APRIL 11 2005, REQUESTING TO AMEND THE PLACE OF USE AND FLOW RATE. THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL OWNERS OF DNRC RECORD AND THE AMENDMENT CHANGES THE ORIGINALLY FILED STATEMENT OF CLAIM.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE MADISON COUNTY WATER RESOURCES SURVEY (1954) APPEARS TO INDICATE 274.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 178-50 , DATED 09/07/1979 , APPEARS TO INDICATE 290.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 191123-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: J & SG INVESTMENTS INC
525 BURMA RD
TWIN BRIDGES, MT 59754 9741

Priority Date: JUNE 3, 1874

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 15.45 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 408.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SES	WNE	36	4S	8W	MADISON

Diversion Means: HEADGATE

Ditch Name: LARSON-NARANCICH DITCH

Period of Use: MAY 1 TO JANUARY 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	110.00		NE	29	4S	7W	MADISON
2	150.00		SW	29	4S	7W	MADISON
3	30.00		E2NE	31	4S	7W	MADISON
4	25.00		SWNE	31	4S	7W	MADISON
5	93.00		NW	32	4S	7W	MADISON
Total:	408.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

191122-00 191123-00

AUTHORIZATION TO CHANGE PLACE OF USE, PURPOSE, PLACE OF STORAGE COMPLETED 12/18/1996. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE UPDATED IN THE CENTRALIZED RECORDS SYSTEM AFTER FINAL DECREE. SEE AUTHORIZATION TO CHANGE NO. 191122-00.

AUTHORIZATION TO CHANGE PLACE OF USE, PURPOSE COMPLETED 12/11/2000. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE UPDATED IN THE CENTRALIZED RECORDS SYSTEM AFTER FINAL DECREE. SEE AUTHORIZATION TO CHANGE NO. 191122-01.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 20 TO OCTOBER 10.

THE MADISON COUNTY WATER RESOURCES SURVEY (1954) APPEARS TO INDICATE 353.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 191124-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: J & SG INVESTMENTS INC
525 BURMA RD
TWIN BRIDGES, MT 59754 9741

Priority Date: JANUARY 1, 1956

Type of Historical Right: USE

Purpose(use): DOMESTIC

Flow Rate: 25.00 GPM

Volume: 2.00 AC-FT

Households: 1

Maximum Acres: 1.00

Source Name: GROUNDWATER

Source Type: GROUNDWATER
ALSO KNOWN AS FIELD HOUSE WELL

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSENE	29	4S	7W	MADISON

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.00		SWSENE	29	4S	7W	MADISON

Total: 1.00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 191125-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: J & SG INVESTMENTS INC
525 BURMA RD
TWIN BRIDGES, MT 59754 9741

***Priority Date:** DECEMBER 31, 1915

Type of Historical Right: USE

Purpose(use): DOMESTIC

Flow Rate: 25.00 GPM

Volume: 2.00 AC-FT

Households: 1

Maximum Acres: 1.00

Source Name: GROUNDWATER

Source Type: GROUNDWATER
ALSO KNOWN AS RIVERHOUSE WELL

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESENE	31	4S	7W	MADISON

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.00		SESENE	31	4S	7W	MADISON

Total: 1.00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 191129-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: J & SG INVESTMENTS INC
525 BURMA RD
TWIN BRIDGES, MT 59754 9741

***Priority Date:** JUNE 30, 1970

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 25.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: GROUNDWATER

Source Type: GROUNDWATER
ALSO KNOWN AS CALVING LOT WELL

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENWNW	32	4S	7W	MADISON

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENWNW	32	4S	7W	MADISON

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE BECAUSE NO DOCUMENTATION AS REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO SUPPORT THIS CLAIM. THIS CLAIM APPEARS TO BE DUPLICATED BY WATER RIGHT NO. 49571-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 191130-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: J & SG INVESTMENTS INC
525 BURMA RD
TWIN BRIDGES, MT 59754 9741

***Priority Date:** AUGUST 31, 1970

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 25.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: GROUNDWATER

Source Type: GROUNDWATER
ALSO KNOWN AS RIVERHOUSE CORRAL WELL

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESENE	31	4S	7W	MADISON

Diversion Means: WELL

Period of Use: NOVEMBER 1 TO JUNE 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESENE	31	4S	7W	MADISON

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE BECAUSE NO DOCUMENTATION AS REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO SUPPORT THIS CLAIM. THIS CLAIM APPEARS TO BE DUPLICATED BY WATER RIGHT NO. 49569-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 191131-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: J & SG INVESTMENTS INC
525 BURMA RD
TWIN BRIDGES, MT 59754 9741

***Priority Date:** JULY 31, 1970

Type of Historical Right: USE

Purpose(use): STOCK

Flow Rate: 25.00 GPM

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** GROUNDWATER

Source Type: GROUNDWATER
ALSO KNOWN AS MAIN BUILDING CORRAL WELL

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNW	32	4S	7W	MADISON

Diversion Means: WELL

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNWNW	32	4S	7W	MADISON

Remarks:

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED PRIORITY DATE MAY BE QUESTIONABLE BECAUSE NO DOCUMENTATION AS REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO SUPPORT THIS CLAIM. THIS CLAIM APPEARS TO BE DUPLICATED BY WATER RIGHT NO. 49570-00.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 191132-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: J & SG INVESTMENTS INC
525 BURMA RD
TWIN BRIDGES, MT 59754 9741

***Priority Date:** DECEMBER 31, 1900

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF BIG HOLE RIVER

Source Type: SURFACE WATER
ALSO KNOWN AS BOOS HOT SPRINGS

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNW	28	4S	7W	MADISON

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: NOVEMBER 1 TO JUNE 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNWNW	28	4S	7W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 194141-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: DOROTHY H MCMILLIN
PO BOX 363
TWIN BRIDGES, MT 59754 0363

ERVIN E MCMILLIN
PO BOX 363
TWIN BRIDGES, MT 59754 0363

Priority Date: JANUARY 1, 1914

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 204.00 GPM

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 12.00

***Source Name:** BIG HOLE RIVER

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESESW	11	4S	7W	MADISON

Diversion Means: HEADGATE
Ditch Name: OWSLEY SLOUGH

WATER DIVERTED FROM BIG HOLE RIVER IS CONVEYED TO OWSLEY SLOUGH WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POINT OF DIVERSION IN THE SWSWSE SEC 28 TWP 3S RGE 6W MADISON COUNTY.

Period of Use: MAY 1 TO OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	12.00		S2SE	28	3S	6W	MADISON
Total:	12.00						

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 194168-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: ELLISON CHERRY CREEK LLC
% SHIRLEY ANN ELLISON
1565 CLUBVIEW DR
LOS ANGELES, CA 90024 5307

Priority Date: MAY 3, 1920

Type of Historical Right: USE

Purpose(use): DOMESTIC

Flow Rate: 30.00 GPM

Volume: 1.50 AC-FT

Households: 1

Maximum Acres: 2.00

Source Name: SPRING, UNNAMED TRIBUTARY OF CHERRY CREEK

Source Type: GROUNDWATER

ALSO KNOWN AS CHERRY HOUSE SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S	11	3S	10W	BEAVERHEAD

Diversion Means: PUMP

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.00		S	11	3S	10W	BEAVERHEAD

Total: 2.00

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/09/1998: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/16/2001: PLACE OF USE, MAXIMUM ACRES.

THE TYPE OF HISTORICAL RIGHT WAS AMENDED BY THE CLAIMANT ON 01/29/1996.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE CLAIMED VOLUME APPEARS TO BE INADEQUATE FOR THE CLAIMED PURPOSE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 194170-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: ELLISON CHERRY CREEK LLC
% SHIRLEY ANN ELLISON
1565 CLUBVIEW DR
LOS ANGELES, CA 90024 5307

Priority Date: MAY 3, 1920

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: CHERRY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2S2S2	11	3S	10W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		SWNW	12	3S	10W	BEAVERHEAD
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2S2S2	11	3S	10W	BEAVERHEAD
2			SWNW	12	3S	10W	BEAVERHEAD

Place of Use:

ID Acres Govt Lot Qtr Sec Sec Twp Rge County

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/16/2001: POINT OF DIVERSION, PLACE OF USE.

THE MEANS OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 01/29/1996.

POINT OF DIVERSION AND PLACE OF USE ARE LOCATED IN HOMESTEAD ENTRY SURVEY NO. 435.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 194171-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MYLES W CARPENTER
PO BOX 38
MELROSE, MT 59743 0038

ROCHELLE CARPENTER
PO BOX 38
MELROSE, MT 59743 0038

Priority Date: OCTOBER 19, 1914

Type of Historical Right: FILED

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** BROWNES GULCH

Source Type: SURFACE WATER
ALSO KNOWN AS BROWNS GULCH

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		N2N2	23	3S	10W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

2		NWNW	24	3S	10W	BEAVERHEAD
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Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2N2	23	3S	10W	BEAVERHEAD
2			NWNW	24	3S	10W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

194171-00 194178-00

POINT OF DIVERSION AND PLACE OF USE ARE LOCATED IN HOMESTEAD ENTRY SURVEY NO. 875.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 194172-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: GROSE RANCHES
1704 MT HWY 41 S
TWIN BRIDGES, MT 59754 9743

HARRY W GROSE
1704 MT HWY 41 S
TWIN BRIDGES, MT 59754 9743

Priority Date: APRIL 1, 1899

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: CHERRY CREEK

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2S2NE	7	3S	9W	BEAVERHEAD

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2S2NE	7	3S	9W	BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

194172-00 194180-00

POINT OF DIVERSION AND PLACE OF USE ARE LOCATED IN LAND PATENT #507255.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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Water Right Number: 41D 194173-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MYLES W CARPENTER
PO BOX 38
MELROSE, MT 59743 0038

ROCHELLE CARPENTER
PO BOX 38
MELROSE, MT 59743 0038

Priority Date: NOVEMBER 7, 1908

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

***Source Name:** SPRING, UNNAMED TRIBUTARY OF BROWNES GULCH

Source Type: SURFACE WATER
ALSO KNOWN AS LOWER SPRING

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNENE	29	3S	9W	BEAVERHEAD

Diversion Means: UNDEVELOPED SPRING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2	NENE	29	3S	9W BEAVERHEAD
2				NWNE	29	3S	9W BEAVERHEAD
3				SENE	29	3S	9W BEAVERHEAD

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

194173-00 194177-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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Water Right Number: 41D 194176-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MYLES W CARPENTER
PO BOX 38
MELROSE, MT 59743 0038

ROCHELLE CARPENTER
PO BOX 38
MELROSE, MT 59743 0038

Priority Date: AUGUST 22, 1917

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 75.00

***Source Name:** BROWNES GULCH

Source Type: SURFACE WATER
ALSO KNOWN AS BROWNS GULCH

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SW	NESW	20	3S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	30.00		S2S2S2	20	3S	9W	BEAVERHEAD
2	45.00		NE	29	3S	9W	BEAVERHEAD
Total:	75.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

194176-00 194177-00 194182-00 194183-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 879-30 , DATED 09/18/1979 , APPEARS TO INDICATE 61.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 3FF-99, CXM 3FF-101 , DATED 09/10/1965 , APPEARS TO INDICATE 60.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 194177-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MYLES W CARPENTER
PO BOX 38
MELROSE, MT 59743 0038

ROCHELLE CARPENTER
PO BOX 38
MELROSE, MT 59743 0038

Priority Date: NOVEMBER 7, 1908

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 255.00 GPM

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 15.00

Source Name: SPRING, UNNAMED TRIBUTARY OF BROWNES GULCH

Source Type: SURFACE WATER
ALSO KNOWN AS LOWER SPRING

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNENE	29	3S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	15.00		E2NE	29	3S	9W	BEAVERHEAD
Total:	15.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

194176-00 194177-00 194182-00 194183-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

194173-00 194177-00

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 194178-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MYLES W CARPENTER
PO BOX 38
MELROSE, MT 59743 0038

ROCHELLE CARPENTER
PO BOX 38
MELROSE, MT 59743 0038

Priority Date: OCTOBER 19, 1914

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 5.68 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 150.00

Source Name: BROWNES GULCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	NENW	23	3S 10W	BEAVERHEAD
Diversion Means:		HEADGATE				
2			NENW	23	3S 10W	BEAVERHEAD
Diversion Means:		HEADGATE				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
3		NENENW	23	3S	10W	BEAVERHEAD
Diversion Means: HEADGATE						
4		SEWNNE	23	3S	10W	BEAVERHEAD
Diversion Means: HEADGATE						
5		SEWNNE	23	3S	10W	BEAVERHEAD
Diversion Means: HEADGATE						
6		SWNENE	23	3S	10W	BEAVERHEAD
Diversion Means: HEADGATE						
7		SWNENE	23	3S	10W	BEAVERHEAD
Diversion Means: HEADGATE						
8		NWSENE	23	3S	10W	BEAVERHEAD
Diversion Means: HEADGATE						
9		SENE	23	3S	10W	BEAVERHEAD
Diversion Means: HEADGATE						
10		NESENE	23	3S	10W	BEAVERHEAD
Diversion Means: HEADGATE						
Period of Use:		APRIL 1 TO OCTOBER 4				

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	75.00		NE	23	3S	10W	BEAVERHEAD
2	75.00		NW	24	3S	10W	BEAVERHEAD
Total:	150.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

194178-00 194179-00 194184-00

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

194171-00 194178-00

POINT OF DIVERSION AND PLACE OF USE ARE LOCATED IN HOMESTEAD ENTRY SURVEY NO. 875.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 879-46 , DATED 09/19/1979 , APPEARS TO INDICATE 29.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 3P-62 , DATED 07/19/1955 , APPEARS TO INDICATE 94.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 194179-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MYLES W CARPENTER
PO BOX 38
MELROSE, MT 59743 0038

ROCHELLE CARPENTER
PO BOX 38
MELROSE, MT 59743 0038

***Priority Date:** JUNE 30, 1871

***Type of Historical Right:** DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 2.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 150.00

Source Name: BROWNES GULCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NW	NENW	23	3S	10W BEAVERHEAD
	Diversion Means:	HEADGATE				
2			NENW	23	3S	10W BEAVERHEAD
	Diversion Means:	HEADGATE				
3			NENW	23	3S	10W BEAVERHEAD
	Diversion Means:	HEADGATE				

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
4		SE	23	3S	10W	BEAVERHEAD
	Diversion Means:	HEADGATE				
5		SE	23	3S	10W	BEAVERHEAD
	Diversion Means:	HEADGATE				
6		SW	23	3S	10W	BEAVERHEAD
	Diversion Means:	HEADGATE				
7		SW	23	3S	10W	BEAVERHEAD
	Diversion Means:	HEADGATE				
8		NW	23	3S	10W	BEAVERHEAD
	Diversion Means:	HEADGATE				
9		SE	23	3S	10W	BEAVERHEAD
	Diversion Means:	HEADGATE				
10		NE	23	3S	10W	BEAVERHEAD
	Diversion Means:	HEADGATE				

Period of Use: APRIL 1 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	75.00		NE	23	3S	10W	BEAVERHEAD
2	75.00		NW	24	3S	10W	BEAVERHEAD
Total:	150.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

194178-00 194179-00 194184-00

POINT OF DIVERSION AND PLACE OF USE ARE LOCATED IN HOMESTEAD ENTRY SURVEY NO. 875.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 879-46 , DATED 09/19/1979 , APPEARS TO INDICATE 29.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 3P-62 , DATED 07/19/1955 , APPEARS TO INDICATE 94.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AT THE TIME OF THE CLAIMED PRIORITY DATE, IT APPEARS THAT THE PLACE OF USE WAS PART OF AN INDIAN RESERVATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 194180-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: GROSE RANCHES
1704 MT HWY 41 S
TWIN BRIDGES, MT 59754 9743

HARRY W GROSE
1704 MT HWY 41 S
TWIN BRIDGES, MT 59754 9743

Priority Date: APRIL 1, 1899

Type of Historical Right: USE

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

***Maximum Acres:** 30.00

Source Name: CHERRY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	ENW	7	3S	9W BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	30.00		S	2NE	7	3S	9W BEAVERHEAD

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
Total:	30.00						

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

194172-00 194180-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. USDA AERIAL PHOTOGRAPH NO(S). 879-32 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDI AERIAL PHOTOGRAPH NO. CMM 7FF-129 , DATED 08/17/1965 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

NO ACRES OR PLACE OF USE LEGAL LAND DESCRIPTION WERE CLAIMED. THE DNRC CLARIFIED THE ACRES AND PLACE OF USE BASED UPON THE CLAIMED MAP.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON CHERRY CREEK WITH A PRIORITY DATE PREDATING CASE NO. 1191 BEAVERHEAD COUNTY.

IT APPEARS THIS WATER RIGHT MAY NOT HAVE BEEN PERFECTED. ACCORDING TO INFORMATION IN THE CLAIM FILE, THERE APPEARS TO BE NO APPROPRIATION OF WATER. ALL ELEMENTS OF THIS CLAIM MAY BE QUESTIONABLE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 194181-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: ELLISON CHERRY CREEK LLC
% SHIRLEY ANN ELLISON
1565 CLUBVIEW DR
LOS ANGELES, CA 90024 5307

Priority Date: APRIL 1, 1886

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.50 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 43.00

Source Name: CHERRY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	11	3S	10W	BEAVERHEAD
Diversion Means:		HEADGATE				
Ditch Name:		O'GREEN DITCH				
2		S	11	3S	10W	BEAVERHEAD
Diversion Means:		HEADGATE				

Period of Use: APRIL 1 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	20.00		SENE	11	3S	10W	BEAVERHEAD
2	8.00		SWNE	11	3S	10W	BEAVERHEAD
3	3.00		S2SENE	11	3S	10W	BEAVERHEAD
4	3.00		N2NESE	11	3S	10W	BEAVERHEAD
5	9.00		SWNW	12	3S	10W	BEAVERHEAD
Total:	43.00						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/29/1996: MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/16/2001: POINTS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. AERIAL PHOTOGRAPH NO(S). CXM 3P-63 , DATED 07/19/1955 , APPEARS TO INDICATE 28.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 194182-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MYLES W CARPENTER
PO BOX 38
MELROSE, MT 59743 0038

ROCHELLE CARPENTER
PO BOX 38
MELROSE, MT 59743 0038

Priority Date: NOVEMBER 7, 1908

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 75.00

***Source Name:** SPRING, UNNAMED TRIBUTARY OF BROWNES GULCH

Source Type: SURFACE WATER
ALSO KNOWN AS OLD STUART SPRING CREEK

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SW	SE	SW	20	3S	9W BEAVERHEAD

Diversion Means: HEADGATE

THE POINT OF DIVERSION IS LOCATED IN HOMESTEAD ENTRY SURVEY NO. 78791.

Period of Use: APRIL 1 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	15.00		SWSE	20	3S	9W	BEAVERHEAD
2	15.00		SESW	20	3S	9W	BEAVERHEAD
3	10.00		W2NENE	29	3S	9W	BEAVERHEAD
4	20.00		NWNE	29	3S	9W	BEAVERHEAD
5	15.00		SENE	29	3S	9W	BEAVERHEAD
Total:	75.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

194176-00 194177-00 194182-00 194183-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 879-30 , DATED 09/18/1979 , APPEARS TO INDICATE 61.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 3FF-99, CXM 3FF-101 , DATED 08/01/1965 , APPEARS TO INDICATE 60.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

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Water Right Number: 41D 194183-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MYLES W CARPENTER
PO BOX 38
MELROSE, MT 59743 0038

ROCHELLE CARPENTER
PO BOX 38
MELROSE, MT 59743 0038

Priority Date: APRIL 23, 1891

Type of Historical Right: DECREED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 1.25 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 75.00

***Source Name:** BROWNES GULCH

Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNESW	20	3S	9W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO OCTOBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	15.00		SWSE	20	3S	9W	BEAVERHEAD
2	15.00		SESW	20	3S	9W	BEAVERHEAD
3	10.00		W2NENE	29	3S	9W	BEAVERHEAD
4	20.00		NWNE	29	3S	9W	BEAVERHEAD
5	15.00		SENE	29	3S	9W	BEAVERHEAD
Total:	75.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

194176-00 194177-00 194182-00 194183-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

USDA AERIAL PHOTOGRAPH NO(S). 879-30 , DATED 09/18/1979 , APPEARS TO INDICATE 61.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM 3FF-99, CXM 3FF-101 , DATED 08/01/1965 , APPEARS TO INDICATE 60.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 194184-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Owners: MYLES W CARPENTER
PO BOX 38
MELROSE, MT 59743 0038

ROCHELLE CARPENTER
PO BOX 38
MELROSE, MT 59743 0038

Priority Date: MARCH 1, 1916

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

***Flow Rate:** 425.00 GPM

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 25.00

***Source Name:** SPRING, UNNAMED TRIBUTARY OF BROWNES GULCH

Source Type: SURFACE WATER
ALSO KNOWN AS FASSLER SPRING

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENWSE	14	3S	10W	BEAVERHEAD

Diversion Means: HEADGATE

Period of Use: APRIL 1 TO NOVEMBER 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	25.00			23	3S	10W	BEAVERHEAD
Total:	25.00						

THE PLACE OF USE IS LOCATED IN HOMESTEAD ENTRY SURVEY NO. 875.

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

194178-00 194179-00 194184-00

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

USDA AERIAL PHOTOGRAPH NO(S). 879-46 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM 3P-62 , DATED 07/19/1955 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE CLAIMED PLACE OF USE COULD NOT BE IDENTIFIED FROM DATA SUBMITTED WITH THE CLAIM.

IT APPEARS THIS WATER RIGHT MAY NOT HAVE BEEN PERFECTED. ACCORDING TO INFORMATION IN THE CLAIM FILE, THERE APPEARS TO BE NO APPROPRIATION OF WATER. ALL ELEMENTS OF THIS CLAIM MAY BE QUESTIONABLE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 194224-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: ARROW RANCHES LLC
550 S 24TH ST W
BILLINGS, MT 59102 6361

Priority Date: MAY 30, 1904

Type of Historical Right: FILED

Purpose(use): IRRIGATION
Irrigation Type: FLOOD

Flow Rate: 25.00 CFS

***Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 5 - LOW

Maximum Acres: 750.00

***Source Name:** PINTLAR CREEK
Source Type: SURFACE WATER

***Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SE	23	1N	15W	DEER LODGE
	Diversion Means:	HEADGATE				
	Ditch Name:	BIG BUSHONG DITCH				
2		SE	26	1N	15W	DEER LODGE
	Diversion Means:	HEADGATE				
	Ditch Name:	LITTLE BUSHONG DITCH				
Period of Use:	MAY 15 TO OCTOBER 15					

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	3.00		SWSE	25	1N	15W	DEER LODGE
2	132.00		W2	25	1N	15W	DEER LODGE
3	150.00		E2	26	1N	15W	DEER LODGE
4	63.00		NE	35	1N	15W	DEER LODGE
5	402.00			36	1N	15W	DEER LODGE
Total:	750.00						

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/02/2004: MAXIMUM ACRES, PLACE OF USE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 194256-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT
Status: ACTIVE

Owners: ROBERT N BOIE
1925 DEADMANS GULCH
BOZEMAN, MT 59715 6300

Priority Date: MAY 1, 1936

Type of Historical Right: USE

Purpose(use): STOCK

***Flow Rate:** NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

***Volume:** THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF TIMBER CANYON

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENESE	6	4S	8W	MADISON

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

Period of Use: MAY 1 TO JULY 4

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENESE	6	4S	8W	MADISON

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
ABSTRACT OF WATER RIGHT CLAIM
IMPORTANT NOTICE**

****** THIS IS AN INTERBASIN TRANSFER CLAIM ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND USES IT IN THE BIG HOLE RIVER DRAINAGE (BASIN 41D) AND THE BEAVERHEAD RIVER DRAINAGE (BASIN 41B). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41D 194262-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD SPRING LLC
ATTN JOHN GOTTWALD
1100 BOULDERS PARKWAY
RICHMOND, VA 23225**

Priority Date: MAY 25, 1901

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 3.13 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 293.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SEWSE	21	4S	7W	MADISON

Diversion Means: HEADGATE
Ditch Name: PAGEVILLE CANAL

WATER DIVERTED FROM BIG HOLE RIVER IS CONVEYED TO CALIFORNIA SLOUGH WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POINT OF DIVERSION IN THE SWSWNW SEC 17 TWP 4S RGE 6W MADISON COUNTY.

Period of Use: APRIL 15 TO OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	79.00		S2NE	8	4S	6W	MADISON
2	36.00		SEW	8	4S	6W	MADISON
3	12.00		E2SWNW	8	4S	6W	MADISON
4	3.00		NESE	8	4S	6W	MADISON
5	22.00		NWSE	8	4S	6W	MADISON
6	35.00		NESW	8	4S	6W	MADISON
7	13.00		N2NESW	8	4S	6W	MADISON
8	22.00		NWSW	8	4S	6W	MADISON
9	28.00		SWSW	8	4S	6W	MADISON
10	23.00		SWNW	9	4S	6W	MADISON
11	2.00		NWNWSW	9	4S	6W	MADISON
12	18.00		W2W2NW	17	4S	6W	MADISON
Total:	293.00						

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

194262-00 194263-00 194264-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/02/2001: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 01/20/1993: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THE MADISON COUNTY WATER RESOURCES SURVEY (1954) APPEARS TO INDICATE 184.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

**TEMPORARY PRELIMINARY DECREE
BIG HOLE RIVER
BASIN 41D
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Water Right Number: 41D 194263-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

**Owners: BEAVERHEAD SPRING LLC
ATTN JOHN GOTTWALD
1100 BOULDERS PARKWAY
RICHMOND, VA 23225**

***Priority Date: DECEMBER 31, 1882**

Type of Historical Right: FILED

Purpose(use): IRRIGATION

Irrigation Type: FLOOD

Flow Rate: 3.13 CFS

***Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.**

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 293.00

Source Name: BIG HOLE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

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