### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94790-00       STATEMENT OF CLAIM         Version:       1 ORIGINAL RIGHT         Status:       ACTIVE				
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799				
Priority Date:	JUNE 15, 1899				
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:	686.27				
Source Name:	BLOODY DICK CREEK				
Source Type:	SURFACE WATER				
Point of Diversion and I	Veans of Diversion:				
<u>ID</u> <u>Govt I</u>					
1	NENESW 35 9S 14W BEAVERHEAD				
Period of Diversion Diversion Means:	: APRIL 1 TO NOVEMBER 5 HEADGATE				
2	3 NENENW 3 10S 14W BEAVERHEAD				
-	APRIL 1 TO NOVEMBER 5				
Diversion Means:	HEADGATE				
Ditch Name:	LOWER BLOODY DICK DITCH				

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Point of Diversion and Means of Diversion:

ID	Govt	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>	
3			NWNESE	4	10S	14W	BEAVERHEAD	
Period	Period of Diversion: APRIL 1 TO NOVEMBER 5							
Divers	ion Means:	HEADG	ATE					
Ditch N	Name:	UPPER BLOODY DICK DITCH						
Period of U	se:	APRIL 1	TO NOVEN	IBER 5				

Place of Use:

ID	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	5.53	S2NENE	34	9S	14W	BEAVERHEAD
2	40.52	SENE	34	9S	14W	BEAVERHEAD
3	25.50	SWNE	34	9S	14W	BEAVERHEAD
4	29.68	NWSE	34	9S	14W	BEAVERHEAD
5	5.84	W2SESE	34	9S	14W	BEAVERHEAD
6	34.51	SWSE	34	9S	14W	BEAVERHEAD
7	25.69	NESW	34	9S	14W	BEAVERHEAD
8	9.61	SESW	34	9S	14W	BEAVERHEAD
9	0.43	SESWSW	34	9S	14W	BEAVERHEAD
10	24.41	NENE	35	9S	14W	BEAVERHEAD
11	36.71	NWNE	35	9S	14W	BEAVERHEAD
12	40.14	SENE	35	9S	14W	BEAVERHEAD
13	26.75	SWNE	35	9S	14W	BEAVERHEAD
14	39.26	NENW	35	9S	14W	BEAVERHEAD
15	27.20	NWNW	35	9S	14W	BEAVERHEAD
16	24.34	SENW	35	9S	14W	BEAVERHEAD
17	40.37	SWNW	35	9S	14W	BEAVERHEAD
18	29.32	NENE	36	9S	14W	BEAVERHEAD
19	37.23	NWNE	36	9S	14W	BEAVERHEAD
20	11.78	SWNE	36	9S	14W	BEAVERHEAD
21	24.54	NENW	36	9S	14W	BEAVERHEAD
22	3.32	SENWNW	36	9S	14W	BEAVERHEAD
23	39.51	SENW	36	9S	14W	BEAVERHEAD
24	37.57	SWNW	36	9S	14W	BEAVERHEAD
25	28.22	NENW	3	10S	14W	BEAVERHEAD
26	31.92	NWNW	3	10S	14W	BEAVERHEAD
27	6.37	SENENE	4	10S	14W	BEAVERHEAD
Total:	686.27					

#### Remarks:

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

120591-00	120592-00	120593-00	120594-00	120595-00	120596-00	120597-00
120598-00	120599-00	120600-00	30064951	94789-00	94790-00	94791-00
94792-00	94793-00	94794-00	94795-00	94796-00	94800-00	94801-00
94802-00	94803-00	94804-00	94805-00	94857-00	94876-00	94877-00
94886-00	94887-00	94888-00	94890-00	94894-00	94895-00	94897-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/23/1989: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/22/2012: POINT OF DIVERSION, PERIOD OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, PERIOD OF USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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Water Right Number:	41A 94791-00       STATEMENT OF CLAIM         Version:       1 ORIGINAL RIGHT         Status:       ACTIVE				
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799				
Priority Date:	MAY 1, 1900				
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:	686.27				
Source Name:	BLOODY DICK CREEK				
Source Type:	SURFACE WATER				
Point of Diversion and N	Means of Diversion:				
<u>ID</u> <u>Govt I</u>	Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u>				
1	NENESW 35 9S 14W BEAVERHEAD				
Period of Diversion	: APRIL 1 TO NOVEMBER 5				
<b>Diversion Means:</b>	HEADGATE				
2	3 NENENW 3 10S 14W BEAVERHEAD				
	: APRIL 1 TO NOVEMBER 5				
Diversion Means:					
Ditch Name:	LOWER BLOODY DICK DITCH				

MAY 9, 2013 41A 94791-00 Page 2 of 3

Point of Diversion and Means of Diversion:

<u>ID</u> <u>Govt</u>	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
3		NWNESE	4	10S	14W	BEAVERHEAD
Period of Diversion: APRIL 1 TO NOVEMBER 5						
<b>Diversion Means:</b>	HEADG	ATE				
Ditch Name:	UPPER	BLOODY DI	CK DI	ГСН		
Period of Use:	APRIL 1	TO NOVEM	BER 5			

Place of Use:

ID	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	5.53	S2NENE	34	9S	14W	BEAVERHEAD
2	40.52	SENE	34	9S	14W	BEAVERHEAD
3	25.50	SWNE	34	9S	14W	BEAVERHEAD
4	29.68	NWSE	34	9S	14W	BEAVERHEAD
5	5.84	W2SESE	34	9S	14W	BEAVERHEAD
6	34.51	SWSE	34	9S	14W	BEAVERHEAD
7	25.69	NESW	34	9S	14W	BEAVERHEAD
8	9.61	SESW	34	9S	14W	BEAVERHEAD
9	0.43	SESWSW	34	9S	14W	BEAVERHEAD
10	24.41	NENE	35	9S	14W	BEAVERHEAD
11	36.71	NWNE	35	9S	14W	BEAVERHEAD
12	40.14	SENE	35	9S	14W	BEAVERHEAD
13	26.75	SWNE	35	9S	14W	BEAVERHEAD
14	39.26	NENW	35	9S	14W	BEAVERHEAD
15	27.20	NWNW	35	9S	14W	BEAVERHEAD
16	24.34	SENW	35	9S	14W	BEAVERHEAD
17	40.37	SWNW	35	9S	14W	BEAVERHEAD
18	29.32	NENE	36	9S	14W	BEAVERHEAD
19	37.23	NWNE	36	9S	14W	BEAVERHEAD
20	11.78	SWNE	36	9S	14W	BEAVERHEAD
21	24.54	NENW	36	9S	14W	BEAVERHEAD
22	3.32	SENWNW	36	9S	14W	BEAVERHEAD
23	39.51	SENW	36	9S	14W	BEAVERHEAD
24	37.57	SWNW	36	9S	14W	BEAVERHEAD
25	28.22	NENW	3	10S	14W	BEAVERHEAD
26	31.92	NWNW	3	10S	14W	BEAVERHEAD
27	6.37	SENENE	4	10S	14W	BEAVERHEAD
Total:	686.27					

#### Remarks:

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120591-00	120592-00	120593-00	120594-00	120595-00	120596-00	120597-00
120598-00	120599-00	120600-00	30064951	94789-00	94790-00	94791-00
94792-00	94793-00	94794-00	94795-00	94796-00	94800-00	94801-00
94802-00	94803-00	94804-00	94805-00	94857-00	94876-00	94877-00
94886-00	94887-00	94888-00	94890-00	94894-00	94895-00	94897-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/23/1989: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/22/2012: POINT OF DIVERSION, PERIOD OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, PERIOD OF USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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Water Right Number:	41A 94792-00       STATEMENT OF CLAIM         Version:       1 ORIGINAL RIGHT         Status:       ACTIVE					
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799					
Priority Date:	APRIL 15, 1900					
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:	686.27					
Source Name:	BLOODY DICK CREEK					
Source Type:	SURFACE WATER					
Point of Diversion and N	Vleans of Diversion:					
<u>ID</u> <u>Govt I</u>						
1	NENESW 35 9S 14W BEAVERHEAD					
	: APRIL 1 TO NOVEMBER 5					
<b>Diversion Means:</b>	HEADGATE					
2	3 NENENW 3 10S 14W BEAVERHEAD					
	APRIL 1 TO NOVEMBER 5 HEADGATE					
Diversion Means: Ditch Name:	LOWER BLOODY DICK DITCH					

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Point of Diversion and Means of Diversion:

<u>ID</u> <u>Govt</u>	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
3		NWNESE	4	10S	14W	BEAVERHEAD
Period of Diversion: APRIL 1 TO NOVEMBER 5						
<b>Diversion Means:</b>	HEADG	ATE				
Ditch Name:	UPPER	BLOODY DI	CK DI	ГСН		
Period of Use:	APRIL 1	TO NOVEM	BER 5			

Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	5.53	S2NENE	34	9S	14W	BEAVERHEAD
2	40.52	SENE	34	9S	14W	BEAVERHEAD
3	25.50	SWNE	34	9S	14W	BEAVERHEAD
4	29.68	NWSE	34	9S	14W	BEAVERHEAD
5	5.84	W2SESE	34	9S	14W	BEAVERHEAD
6	34.51	SWSE	34	9S	14W	BEAVERHEAD
7	25.69	NESW	34	9S	14W	BEAVERHEAD
8	9.61	SESW	34	9S	14W	BEAVERHEAD
9	0.43	SESWSW	34	9S	14W	BEAVERHEAD
10	24.41	NENE	35	9S	14W	BEAVERHEAD
11	36.71	NWNE	35	9S	14W	BEAVERHEAD
12	40.14	SENE	35	9S	14W	BEAVERHEAD
13	26.75	SWNE	35	9S	14W	BEAVERHEAD
14	39.26	NENW	35	9S	14W	BEAVERHEAD
15	27.20	NWNW	35	9S	14W	BEAVERHEAD
16	24.34	SENW	35	9S	14W	BEAVERHEAD
17	40.37	SWNW	35	9S	14W	BEAVERHEAD
18	29.32	NENE	36	9S	14W	BEAVERHEAD
19	37.23	NWNE	36	9S	14W	BEAVERHEAD
20	11.78	SWNE	36	9S	14W	BEAVERHEAD
21	24.54	NENW	36	9S	14W	BEAVERHEAD
22	3.32	SENWNW	36	9S	14W	BEAVERHEAD
23	39.51	SENW	36	9S	14W	BEAVERHEAD
24	37.57	SWNW	36	9S	14W	BEAVERHEAD
25	28.22	NENW	3	10S	14W	BEAVERHEAD
26	31.92	NWNW	3	10S	14W	BEAVERHEAD
27	6.37	SENENE	4	10S	14W	BEAVERHEAD
Total:	686.27					

#### Remarks:

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120591-00	120592-00	120593-00	120594-00	120595-00	120596-00	120597-00
120598-00	120599-00	120600-00	30064951	94789-00	94790-00	94791-00
94792-00	94793-00	94794-00	94795-00	94796-00	94800-00	94801-00
94802-00	94803-00	94804-00	94805-00	94857-00	94876-00	94877-00
94886-00	94887-00	94888-00	94890-00	94894-00	94895-00	94897-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/23/1989: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/22/2012: POINT OF DIVERSION, PERIOD OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, PERIOD OF USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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### **IMPORTANT NOTICE**

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Water Right Number:	<b>41A 94793-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799				
Priority Date:	JUNE 20, 1900				
Type of Historical Right: DECREED					
Purpose(use):	IRRIGATION				
Irrigation Type:	FLOOD				
Flow Rate:	4.65 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:	463.04				
Source Name:	BLOODY DICK CREEK				
Source Type:	SURFACE WATER				
Point of Diversion and N	Aeans of Diversion:				
	NENESW 35 9S 14W BEAVERHEAD : APRIL 1 TO NOVEMBER 5				
Diversion Means: 2	HEADGATE 3 NENENW 3 10S 14W BEAVERHEAD				
-	APRIL 1 TO NOVEMBER 5 HEADGATE LOWER BLOODY DICK DITCH APRIL 1 TO NOVEMBER 5				

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Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	3.69	W2SESE	34	9S	14W	BEAVERHEAD
2	18.00	SWSE	34	9S	14W	BEAVERHEAD
3	24.67	NENE	35	9S	14W	BEAVERHEAD
4	36.85	NWNE	35	9S	14W	BEAVERHEAD
5	40.00	SENE	35	9S	14W	BEAVERHEAD
6	26.56	SWNE	35	9S	14W	BEAVERHEAD
7	39.41	NENW	35	9S	14W	BEAVERHEAD
8	28.20	NWNW	35	9S	14W	BEAVERHEAD
9	24.02	SENW	35	9S	14W	BEAVERHEAD
10	38.36	SWNW	35	9S	14W	BEAVERHEAD
11	29.28	NENE	36	9S	14W	BEAVERHEAD
12	37.36	NWNE	36	9S	14W	BEAVERHEAD
13	11.85	SWNE	36	9S	14W	BEAVERHEAD
14	24.51	NENW	36	9S	14W	BEAVERHEAD
15	3.48	S2NWNW	36	9S	14W	BEAVERHEAD
16	38.93	SENW	36	9S	14W	BEAVERHEAD
17	37.87	SWNW	36	9S	14W	BEAVERHEAD
Total:	463.04					

#### **Remarks:**

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120591-00	120592-00	120593-00	120594-00	120595-00	120596-00	120597-00
120598-00	120599-00	120600-00	30064951	94789-00	94790-00	94791-00
94792-00	94793-00	94794-00	94795-00	94796-00	94800-00	94801-00
94802-00	94803-00	94804-00	94805-00	94857-00	94876-00	94877-00
94886-00	94887-00	94888-00	94890-00	94894-00	94895-00	94897-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/23/1989: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/22/2012: POINT OF DIVERSION, PERIOD OF USE, PLACE OF USE, MAXIMUM ACRES, PERIOD OF USE, PRIORITY DATE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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Water Right Number:	41A 94794-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799			
Priority Date:	DECEMBER 23, 1900			
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:	463.04			
Source Name:	BLOODY DICK CREEK			
Source Type:	SURFACE WATER			
Point of Diversion and N	Means of Diversion:			
<u>ID</u> <u>Govt I</u>	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NENESW 35 9S 14W BEAVERHEAD			
Period of Diversion	: APRIL 1 TO NOVEMBER 5			
<b>Diversion Means:</b>	HEADGATE			
2	3 NENENW 3 10S 14W BEAVERHEAD			
	: APRIL 1 TO NOVEMBER 5			
Diversion Means: Ditch Name:	HEADGATE LOWER BLOODY DICK DITCH			
Period of Use:	APRIL 1 TO NOVEMBER 5			

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Place of Use:

ID	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	3.69	W2SESE	34	9S	14W	BEAVERHEAD
2	18.00	SWSE	34	9S	14W	BEAVERHEAD
3	24.67	NENE	35	9S	14W	BEAVERHEAD
4	36.85	NWNE	35	9S	14W	BEAVERHEAD
5	40.00	SENE	35	9S	14W	BEAVERHEAD
6	26.56	SWNE	35	9S	14W	BEAVERHEAD
7	39.41	NENW	35	9S	14W	BEAVERHEAD
8	28.20	NWNW	35	9S	14W	BEAVERHEAD
9	24.02	SENW	35	9S	14W	BEAVERHEAD
10	38.36	SWNW	35	9S	14W	BEAVERHEAD
11	29.28	NENE	36	9S	14W	BEAVERHEAD
12	37.36	NWNE	36	9S	14W	BEAVERHEAD
13	11.85	SWNE	36	9S	14W	BEAVERHEAD
14	24.51	NENW	36	9S	14W	BEAVERHEAD
15	3.48	S2NWNW	36	9S	14W	BEAVERHEAD
16	38.93	SENW	36	9S	14W	BEAVERHEAD
17	37.87	SWNW	36	9S	14W	BEAVERHEAD
Total:	463.04					

#### **Remarks:**

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

120591-00	120592-00	120593-00	120594-00	120595-00	120596-00	120597-00
120598-00	120599-00	120600-00	30064951	94789-00	94790-00	94791-00
94792-00	94793-00	94794-00	94795-00	94796-00	94800-00	94801-00
94802-00	94803-00	94804-00	94805-00	94857-00	94876-00	94877-00
94886-00	94887-00	94888-00	94890-00	94894-00	94895-00	94897-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/23/1989: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/22/2012: POINT OF DIVERSION, PERIOD OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, PERIOD OF USE, PRIORITY DATE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94795-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799			
Priority Date:	JUNE 15, 1899			
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:	463.04			
Source Name:	BLOODY DICK CREEK			
Source Type:	SURFACE WATER			
*Point of Diversion and M	Aeans of Diversion:			
IDGovt I1Period of Diversion	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NENESW 35 9S 14W BEAVERHEAD : APRIL 1 TO NOVEMBER 5			
<b>Diversion Means:</b>	HEADGATE			
2	3 NENENW 3 10S 14W BEAVERHEAD			
Period of Diversion Diversion Means:	: APRIL 1 TO NOVEMBER 5 HEADGATE			
Diversion Means: Ditch Name:	LOWER BLOODY DICK DITCH			
Period of Use:	APRIL 1 TO NOVEMBER 5			

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Place of Use:

ID	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	3.69	W2SESE	34	9S	14W	BEAVERHEAD
2	18.00	SWSE	34	9S	14W	BEAVERHEAD
3	24.67	NENE	35	9S	14W	BEAVERHEAD
4	36.85	NWNE	35	9S	14W	BEAVERHEAD
5	40.00	SENE	35	9S	14W	BEAVERHEAD
6	26.56	SWNE	35	9S	14W	BEAVERHEAD
7	39.41	NENW	35	9S	14W	BEAVERHEAD
8	28.20	NWNW	35	9S	14W	BEAVERHEAD
9	24.02	SENW	35	9S	14W	BEAVERHEAD
10	38.36	SWNW	35	9S	14W	BEAVERHEAD
11	29.28	NENE	36	9S	14W	BEAVERHEAD
12	37.36	NWNE	36	9S	14W	BEAVERHEAD
13	11.85	SWNE	36	9S	14W	BEAVERHEAD
14	24.51	NENW	36	9S	14W	BEAVERHEAD
15	3.48	S2NWNW	36	9S	14W	BEAVERHEAD
16	38.93	SENW	36	9S	14W	BEAVERHEAD
17	37.87	SWNW	36	9S	14W	BEAVERHEAD
Total:	463.04					

#### **Remarks:**

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

120591-00	120592-00	120593-00	120594-00	120595-00	120596-00	120597-00
120598-00	120599-00	120600-00	30064951	94789-00	94790-00	94791-00
94792-00	94793-00	94794-00	94795-00	94796-00	94800-00	94801-00
94802-00	94803-00	94804-00	94805-00	94857-00	94876-00	94877-00
94886-00	94887-00	94888-00	94890-00	94894-00	94895-00	94897-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/23/1989: PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/22/2012: POINT OF DIVERSION, PERIOD OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, PERIOD OF USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94796-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799
<b>Priority Date:</b>	AUGUST 27, 1917
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:	140.14
Source Name:	BLOODY DICK CREEK
Source Type:	SURFACE WATER
Point of Diversion and N	Means of Diversion:
<u>ID</u> <u>Govt I</u> 1 Period of Diversion	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NENESW 35 9S 14W BEAVERHEAD A: APRIL 1 TO NOVEMBER 5
Diversion Means:	HEADGATE
Period of Use:	APRIL 1 TO NOVEMBER 5
Place of Use:	
ID <u>Acres</u> Govt I	Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u>
1 36.52	SENE 35 9S 14W BEAVERHEAD
2 10.17	SWNE 35 9S 14W BEAVERHEAD
3 3.13	N2NESE 35 9S 14W BEAVERHEAD

Place of	of Use:
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ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
4	10.91	S2NENW	36	9S	14W	BEAVERHEAD
5	2.96	S2NWNW	36	9S	14W	BEAVERHEAD
6	39.50	SENW	36	9S	14W	BEAVERHEAD
7	36.95	SWNW	36	9S	14W	BEAVERHEAD
Total:	140.14					

#### **Remarks:**

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

120591-00	120592-00	120593-00	120594-00	120595-00	120596-00	120597-00
120598-00	120599-00	120600-00	30064951	94789-00	94790-00	94791-00
94792-00	94793-00	94794-00	94795-00	94796-00	94800-00	94801-00
94802-00	94803-00	94804-00	94805-00	94857-00	94876-00	94877-00
94886-00	94887-00	94888-00	94890-00	94894-00	94895-00	94897-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/22/2012: PERIOD OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, PERIOD OF USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94797-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE		
Owners:	ARCHIE D RIPPETO % MARCUS R SANDERS 885 CLARKS LOOKOUT RD DILLON, MT 59725 7376		
	MARCUS R SANDERS 885 CLARKS LOOKOUT RD DILLON, MT 59725 7376		
Priority Date:	JULY 1, 1903		
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 Areas	5 - LOW		
Maximum Acres:	28.00		
Source Name:	EAST TERRELL CREEK		
Source Type:	SURFACE WATER		
Point of Diversion and Means of Diversion:			
$\frac{\text{ID}}{1}$ Govt I	<u>Lot Qtr Sec Sec Twp Rge County</u> SWSWNE 14 9S 15W BEAVERHEAD		
1	: APRIL 1 TO NOVEMBER 15 HEADGATE		
Period of Use:	APRIL 1 TO NOVEMBER 15		

#### \*Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1	18.00	NESW	14	9S	15W	BEAVERHEAD
2	10.00	S2NWSW	14	9S	15W	BEAVERHEAD
Total:	28.00					

### Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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. ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 10/14/2011, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY WILLIAM F. JOHNSON.

THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

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). 979-83 , DATED 09/20/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDI AERIAL PHOTOGRAPH NO. CXM-7B-30 , 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94798-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE			
Owners:	ARCHIE D RIPPETO % MARCUS R SANDERS 885 CLARKS LOOKOUT RD DILLON, MT 59725 7376			
	MARCUS R SANDERS 885 CLARKS LOOKOUT RD DILLON, MT 59725 7376			
Priority Date:	JULY 1, 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:	79.00			
Source Name:	EAST TERRELL CREEK			
Source Type:	SURFACE WATER			
Point of Diversion and Means of Diversion:				
$\frac{\mathbf{ID}}{1} \qquad \qquad \frac{\mathbf{Govt I}}{\mathbf{I}}$	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWSWNE 14 9S 15W BEAVERHEAD			
Period of Diversion Diversion Means:	: APRIL 1 TO NOVEMBER 15 HEADGATE			
Period of Use:	APRIL 1 TO NOVEMBER 15			

#### \*Place of Use:

ID	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1	19.00	SENW	14	9S	15W	BEAVERHEAD
2	28.00	SWNW	14	9S	15W	BEAVERHEAD
3	14.00	N2NESW	14	9S	15W	BEAVERHEAD
4	18.00	N2NWSW	14	9S	15W	BEAVERHEAD
Total:	79.00					

#### 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.

94798-00 94799-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 10/17/2011, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY WILLIAM F. JOHNSON.

THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

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). 979-83 , DATED 09/20/1979 , APPEARS TO INDICATE 45.03 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDI AERIAL PHOTOGRAPH NO. CXM-7B-30 , DATED 08/14/1942 , APPEARS TO INDICATE 45.03 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94798-00 Page 3 of 3

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94799-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE		
Owners:	ARCHIE D RIPPETO % MARCUS R SANDERS 885 CLARKS LOOKOUT RD DILLON, MT 59725 7376		
	MARCUS R SANDERS 885 CLARKS LOOKOUT RD DILLON, MT 59725 7376		
<b>Priority Date:</b>	JULY 1, 1903		
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:	79.00		
Source Name:	EAST TERRELL CREEK		
Source Type:	SURFACE WATER		
Point of Diversion and Means of Diversion:			
$\frac{\mathbf{ID}}{1} \qquad \qquad \mathbf{Govt I}$	<u>Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWSWNE 14 9S 15W BEAVERHEAD		
Period of Diversion	APRIL 1 TO NOVEMBER 15		
<b>Diversion Means:</b>	HEADGATE		
Period of Use:	APRIL 1 TO NOVEMBER 15		

#### \*Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1	14.00	N2NESW	14	9S	14W	BEAVERHEAD
2	18.00	N2NWSW	14	9S	14W	BEAVERHEAD
3	19.00	SENW	14	9S	15W	BEAVERHEAD
4	28.00	SWNW	14	9S	15W	BEAVERHEAD
Total:	79.00					

#### **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.

94798-00 94799-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 10/17/2011, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY WILLIAM F. JOHNSON.

THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

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). 979-83 , DATED 09/20/1979 , APPEARS TO INDICATE 45.03 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDI AERIAL PHOTOGRAPH NO. CXM-7B-30 , DATED 08/14/1942 , APPEARS TO INDICATE 45.03 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94799-00 Page 3 of 3

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94800-00 STATEMENT OF CLAIM
	Version: 2 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799
	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
	STOCKER RANCH LLC 3300 BLOODY DICK RD DILLON, MT 59725 9704 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
Priority Date:	JUNE 1, 1885
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	3.30 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:	1,183.00
Source Name:	COYOTE CREEK
Source Type:	SURFACE WATER

MAY 9, 2013 41A 94800-00 Page 2 of 4

### Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1		SESWSE	11	9S	14W	BEAVERHEAD
Period of	of Diversion: APRIL	1 TO NOVEM	IBER 1	5		
Diversio	on Means: DIVER	SION DAM				
Ditch Na	ame: BRENN	NER COYOTE	CREE	K DIT	CH NO	. 1
2		NESWSW	13	9S	14W	BEAVERHEAD
Period o	of Diversion: APRIL	1 TO NOVEM	1BER 1	5		
Diversio	on Means: HEAD	GATE				
Ditch Na	ame: ENGLE	DITCH NO.	1			
3		NESWSE	24	9S	14W	BEAVERHEAD
Period of	of Diversion: APRIL	1 TO NOVEM	1BER 1	5		
Diversio	on Means: DIKE					
4		SENENE	25	9S	14W	BEAVERHEAD
Period o	of Diversion: APRIL	1 TO NOVEM	1BER 1	5		
Diversio	on Means: DIKE					
Period of Us	e: APRIL	1 TO NOVEM	BER 1	5		

\*Place of Use:

ID	<u>Acres</u> G	ovt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	7.00	3	W2NWSW	30	9S	13W	BEAVERHEAD
2	30.00	4	SWSW	30	9S	13W	BEAVERHEAD
3	3.00		W2NENW	31	9S	13W	BEAVERHEAD
4	37.00	1	NWNW	31	9S	13W	BEAVERHEAD
5	2.00		SWSESW	13	9S	14W	BEAVERHEAD
6	16.00		S2SWSW	13	9S	14W	BEAVERHEAD
7	234.00		E2	14	9S	14W	BEAVERHEAD
8	35.00		NENE	23	9S	14W	BEAVERHEAD
9	4.00		NENWNE	23	9S	14W	BEAVERHEAD
10	16.00		E2SENE	23	9S	14W	BEAVERHEAD
11	7.00		SWSENE	23	9S	14W	BEAVERHEAD
12	23.00		NESE	23	9S	14W	BEAVERHEAD
13	3.00		SWSWNE	24	9S	14W	BEAVERHEAD
14	17.00		W2NWSE	24	9S	14W	BEAVERHEAD
15	35.00		SWSE	24	9S	14W	BEAVERHEAD
16	280.00		W2	24	9S	14W	BEAVERHEAD
17	293.00		E2	25	9S	14W	BEAVERHEAD
18	24.00		NENW	25	9S	14W	BEAVERHEAD
19	7.00		E2SENW	25	9S	14W	BEAVERHEAD
20	20.00		E2NESW	25	9S	14W	BEAVERHEAD
21	20.00		E2SESW	25	9S	14W	BEAVERHEAD
22	70.00		N2NE	36	9S	14W	BEAVERHEAD
Total:	1,183.00						

#### 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.

120591-00	120592-00	120593-00	120594-00	120595-00	120596-00	120597-00
120598-00	120599-00	120600-00	30064951	94789-00	94790-00	94791-00
94792-00	94793-00	94794-00	94795-00	94796-00	94800-00	94801-00
94802-00	94803-00	94804-00	94805-00	94857-00	94876-00	94877-00
94886-00	94887-00	94888-00	94890-00	94894-00	94895-00	94897-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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 07/6/2007 . THE AMENDMENT WAS NOT IMPLEMENTED DUE TO DISAGREEMENT AMONG THE OWNERS OF RECORD.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS 04/25 TO 10/05.

USDA AERIAL PHOTOGRAPH NO(S). 979-100 , DATED 09/20/1979 , APPEARS TO INDICATE 1079.40 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-14P-91, CXM-14P-92 , DATED 08/09/1955 , APPEARS TO INDICATE 1065.30 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94800-00 Page 4 of 4

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94801-00 STATEMENT OF CLAIM
	Version: 2 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799
	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
	STOCKER RANCH LLC 3300 BLOODY DICK RD DILLON, MT 59725 9704
	OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
Priority Date:	JUNE 1, 1885
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:	1,183.00
Source Name:	COYOTE CREEK
Source Type:	SURFACE WATER

MAY 9, 2013 41A 94801-00 Page 2 of 4

### Point of Diversion and Means of Diversion:

ID	Govt Lot	<b>Qtr Sec</b>	<u>Sec</u>	Twp	Rge	<u>County</u>	
1		SESWSE	11	9S	14W	BEAVERHEAD	
Period of Diversion: APRIL 1 TO NOVEMBER 15							
Diversio	on Means: DIVER	SION DAM					
Ditch Na	itch Name: BRENNER COYOTE CREEK DITCH NO. 1						
2		NESWSW	13	9S	14W	BEAVERHEAD	
Period of Diversion: APRIL 1 TO NOVEMBER 15							
Diversio	on Means: HEAD	GATE					
Ditch Na	ame: ENGLE	E DITCH NO.	1				
3		NESWSE	24	9S	14W	BEAVERHEAD	
Period of Diversion: APRIL 1 TO NOVEMBER 15							
Diversio	on Means: DIKE						
4		SENENE	25	9S	14W	BEAVERHEAD	
Period of Diversion: APRIL 1 TO NOVEMBER 15							
Diversio	on Means: DIKE						
Period of Use	e: APRIL	1 TO NOVEM	IBER 1	5			

\*Place of Use:

ID	<u>Acres</u> <u>Govt Lot</u>		<u>Qtr Sec</u>	<u>Sec</u>	<u>Sec Twp</u>		e <u>County</u>	
1	7.00	3	W2NWSW	30	9S	13W	BEAVERHEAD	
2	30.00	4	SWSW	30	9S	13W	BEAVERHEAD	
3	3.00		W2NENW	31	9S	13W	BEAVERHEAD	
4	37.00	1	NWNW	31	9S	13W	BEAVERHEAD	
5	2.00		SWSESW	13	9S	14W	BEAVERHEAD	
6	16.00		S2SWSW	13	9S	14W	BEAVERHEAD	
7	234.00		E2	14	9S	14W	BEAVERHEAD	
8	35.00		NENE	23	9S	14W	BEAVERHEAD	
9	4.00		NENWNE	23	9S	14W	BEAVERHEAD	
10	16.00		E2SENE	23	9S	14W	BEAVERHEAD	
11	7.00		SWSENE	23	9S	14W	BEAVERHEAD	
12	23.00		NESE	23	9S	14W	BEAVERHEAD	
13	3.00		SWSWNE	24	9S	14W	BEAVERHEAD	
14	17.00		W2NWSE	24	9S	14W	BEAVERHEAD	
15	35.00		SWSE	24	9S	14W	BEAVERHEAD	
16	280.00		W2	24	9S	14W	BEAVERHEAD	
17	293.00		E2	25	9S	14W	BEAVERHEAD	
18	24.00		NENW	25	9S	14W	BEAVERHEAD	
19	7.00		E2SENW	25	9S	14W	BEAVERHEAD	
20	20.00		E2NESW	25	9S	14W	BEAVERHEAD	
21	20.00		E2SESW	25	9S	14W	BEAVERHEAD	
22	70.00		N2NE	36	9S	14W	BEAVERHEAD	
Total:	1,183.00							

#### 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.

120591-00	120592-00	120593-00	120594-00	120595-00	120596-00	120597-00
120598-00	120599-00	120600-00	30064951	94789-00	94790-00	94791-00
94792-00	94793-00	94794-00	94795-00	94796-00	94800-00	94801-00
94802-00	94803-00	94804-00	94805-00	94857-00	94876-00	94877-00
94886-00	94887-00	94888-00	94890-00	94894-00	94895-00	94897-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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 07/6/2007 . THE AMENDMENT WAS NOT IMPLEMENTED DUE TO DISAGREEMENT AMONG THE OWNERS OF RECORD.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS 04/25 TO 10/05.

USDA AERIAL PHOTOGRAPH NO(S). 979-100 , DATED 09/20/1979 , APPEARS TO INDICATE 1079.40 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-14P-91, CXM-14P-92 , DATED 08/09/1955 , APPEARS TO INDICATE 1065.30 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94801-00 Page 4 of 4

## PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94802-00 STATEMENT OF CLAIM
	Version: 2 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799
	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
	STOCKER RANCH LLC 3300 BLOODY DICK RD DILLON, MT 59725 9704 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER
	RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
Priority Date:	JUNE 1, 1885
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:	1,183.00
Source Name:	COYOTE CREEK
Source Type:	SURFACE WATER

MAY 9, 2013 41A 94802-00 Page 2 of 4

### Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1		SESWSE	11	9S	14W	BEAVERHEAD
Period of	of Diversion: APRIL	1 TO NOVEM	IBER 1	5		
Diversio	on Means: DIVER	SION DAM				
Ditch Na	ame: BRENN	NER COYOTE	CREE	K DIT	CH NO	. 1
2		NESWSW	13	9S	14W	BEAVERHEAD
Period o	of Diversion: APRIL	1 TO NOVEM	1BER 1	5		
Diversio	on Means: HEAD	GATE				
Ditch Na	ame: ENGLE	DITCH NO.	1			
3		NESWSE	24	9S	14W	BEAVERHEAD
Period of	of Diversion: APRIL	1 TO NOVEM	1BER 1	5		
Diversio	on Means: DIKE					
4		SENENE	25	9S	14W	BEAVERHEAD
Period o	of Diversion: APRIL	1 TO NOVEM	1BER 1	5		
Diversio	on Means: DIKE					
Period of Us	e: APRIL	1 TO NOVEM	BER 1	5		

\*Place of Use:

ID	<u>Acres</u> G	ovt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	7.00	3	W2NWSW	30	9S	13W	BEAVERHEAD
2	30.00	4	SWSW	30	9S	13W	BEAVERHEAD
3	3.00		W2NENW	31	9S	13W	BEAVERHEAD
4	37.00	1	NWNW	31	9S	13W	BEAVERHEAD
5	2.00		SWSESW	13	9S	14W	BEAVERHEAD
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22	70.00		N2NE	36	9S	14W	BEAVERHEAD
Total:	1,183.00						

#### Remarks:

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120591-00	120592-00	120593-00	120594-00	120595-00	120596-00	120597-00
120598-00	120599-00	120600-00	30064951	94789-00	94790-00	94791-00
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94802-00	94803-00	94804-00	94805-00	94857-00	94876-00	94877-00
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USDA AERIAL PHOTOGRAPH NO(S). 979-100 , DATED 09/20/1979 , APPEARS TO INDICATE 1079.40 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-14P-91, CXM-14P-92 , DATED 080/9/1955 , APPEARS TO INDICATE 1065.30 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94802-00 Page 4 of 4

## **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94803-00 STATEMENT OF CLAIM
	Version: 2 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799
	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
	STOCKER RANCH LLC 3300 BLOODY DICK RD DILLON, MT 59725 9704 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER
	RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
<b>Priority Date:</b>	JUNE 1, 1885
Type of Historical Right	: DECREED
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:	1,183.00
Source Name:	COYOTE CREEK
Source Type:	SURFACE WATER

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### Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>	
1		SESWSE	11	9S	14W	BEAVERHEAD	
Period o	of Diversion: APRIL	1 TO NOVEM	IBER 1	5			
Diversio	on Means: DIVER	SION DAM					
Ditch Na	ame: BRENI	NER COYOTE	E CREE	K DIT	CH NO	. 1	
2		NESWSW	13	9S	14W	BEAVERHEAD	
Period o	of Diversion: APRIL	1 TO NOVEM	IBER 1	5			
Diversio	on Means: HEAD	GATE					
Ditch Na	ame: ENGLE	E DITCH NO.	1				
3		NESWSE	24	9S	14W	BEAVERHEAD	
Period o	of Diversion: APRIL	1 TO NOVEM	IBER 1	5			
Diversio	on Means: DIKE						
4		SENENE	25	9S	14W	BEAVERHEAD	
Period of Diversion: APRIL 1 TO NOVEMBER 15							
Diversio	on Means: DIKE						
Period of Use	e: APRIL	1 TO NOVEM	IBER 1	5			

\*Place of Use:

<u>ID</u>	<u>Acres</u> G	ovt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	7.00	3	W2NWSW	30	9S	13W	BEAVERHEAD
2	30.00	4	SWSW	30	9S	13W	BEAVERHEAD
3	3.00		W2NENW	31	9S	13W	BEAVERHEAD
4	37.00	1	NWNW	31	9S	13W	BEAVERHEAD
5	2.00		SWSESW	13	9S	14W	BEAVERHEAD
6	16.00		S2SWSW	13	9S	14W	BEAVERHEAD
7	234.00		E2	14	9S	14W	BEAVERHEAD
8	35.00		NENE	23	9S	14W	BEAVERHEAD
9	4.00		NENWNE	23	9S	14W	BEAVERHEAD
10	16.00		E2SENE	23	9S	14W	BEAVERHEAD
11	7.00		SWSENE	23	9S	14W	BEAVERHEAD
12	23.00		NESE	23	9S	14W	BEAVERHEAD
13	3.00		SWSWNE	24	9S	14W	BEAVERHEAD
14	17.00		W2NWSE	24	9S	14W	BEAVERHEAD
15	35.00		SWSE	24	9S	14W	BEAVERHEAD
16	280.00		W2	24	9S	14W	BEAVERHEAD
17	293.00		E2	25	9S	14W	BEAVERHEAD
18	24.00		NENW	25	9S	14W	BEAVERHEAD
19	7.00		E2SENW	25	9S	14W	BEAVERHEAD
20	20.00		E2NESW	25	9S	14W	BEAVERHEAD
21	20.00		E2SESW	25	9S	14W	BEAVERHEAD
22	70.00		N2NE	36	9S	14W	BEAVERHEAD
Total:	1,183.00						

#### 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.

120591-00	120592-00	120593-00	120594-00	120595-00	120596-00	120597-00
120598-00	120599-00	120600-00	30064951	94789-00	94790-00	94791-00
94792-00	94793-00	94794-00	94795-00	94796-00	94800-00	94801-00
94802-00	94803-00	94804-00	94805-00	94857-00	94876-00	94877-00
94886-00	94887-00	94888-00	94890-00	94894-00	94895-00	94897-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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 07/6/2007 . THE AMENDMENT WAS NOT IMPLEMENTED DUE TO DISAGREEMENT AMONG THE OWNERS OF RECORD.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS 04/25 TO 10/05.

USDA AERIAL PHOTOGRAPH NO(S). 979-100 , DATED 09/20/1979 , APPEARS TO INDICATE 1079.40 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-14P-91, CXM-14P-92 , DATED 08/09/1955 , APPEARS TO INDICATE 1065.30 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94803-00 Page 4 of 4

## PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING 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:	41A 94804-00       STATEMENT OF CLAIM         Version:       2 ORIGINAL RIGHT         Status:       ACTIVE
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799
	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
	STOCKER RANCH LLC 3300 BLOODY DICK RD DILLON, MT 59725 9704 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
Priority Date:	JUNE 1, 1885
Type of Historical Right	:DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	2.13 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:	1,183.00
Source Name:	COYOTE CREEK
Source Type:	SURFACE WATER

MAY 9, 2013 41A 94804-00 Page 2 of 4

### Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1		SESWSE	11	9S	14W	BEAVERHEAD
Period of	of Diversion: APRIL	1 TO NOVEM	IBER 1	5		
Diversio	on Means: DIVER	SION DAM				
Ditch Na	ame: BRENN	NER COYOTE	CREE	K DIT	CH NO	. 1
2		NESWSW	13	9S	14W	BEAVERHEAD
Period o	of Diversion: APRIL	1 TO NOVEM	1BER 1	5		
Diversio	on Means: HEAD	GATE				
Ditch Na	ame: ENGLE	DITCH NO.	1			
3		NESWSE	24	9S	14W	BEAVERHEAD
Period of	of Diversion: APRIL	1 TO NOVEM	1BER 1	5		
Diversio	on Means: DIKE					
4		SENENE	25	9S	14W	BEAVERHEAD
Period o	of Diversion: APRIL	1 TO NOVEM	1BER 1	5		
Diversio	on Means: DIKE					
Period of Us	e: APRIL	1 TO NOVEM	BER 1	5		

\*Place of Use:

ID	<u>Acres</u> G	ovt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	7.00	3	W2NWSW	30	9S	13W	BEAVERHEAD
2	30.00	4	SWSW	30	9S	13W	BEAVERHEAD
3	3.00		W2NENW	31	9S	13W	BEAVERHEAD
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Total:	1,183.00						

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## **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

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Water Right Number:	41A 94805-00 STATEMENT OF CLAIM
	Version: 2 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799
	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
	STOCKER RANCH LLC 3300 BLOODY DICK RD DILLON, MT 59725 9704 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
Priority Date:	SEPTEMBER 1, 1883
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	426.36 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:	1,183.00
Source Name:	COYOTE CREEK
Source Type:	SURFACE WATER

MAY 9, 2013 41A 94805-00 Page 2 of 4

### Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1		SESWSE	11	9S	14W	BEAVERHEAD
Period o	of Diversion: APRIL	1 TO NOVEM	IBER 1	5		
Diversio	on Means: DIVER	SION DAM				
Ditch Na	ame: BRENI	NER COYOTE	E CREE	K DIT	CH NO	. 1
2		NESWSW	13	9S	14W	BEAVERHEAD
Period o	of Diversion: APRIL	1 TO NOVEM	IBER 1	5		
Diversio	on Means: HEAD	GATE				
Ditch Na	ame: ENGLE	E DITCH NO.	1			
3		NESWSE	24	9S	14W	BEAVERHEAD
Period o	of Diversion: APRIL	1 TO NOVEM	IBER 1	5		
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4		SENENE	25	9S	14W	BEAVERHEAD
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\*Place of Use:

ID	<u>Acres</u> G	ovt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	7.00	3	W2NWSW	30	9S	13W	BEAVERHEAD
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21	20.00		E2SESW	25	9S	14W	BEAVERHEAD
22	70.00		N2NE	36	9S	14W	BEAVERHEAD
Total:	1,183.00						

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

THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS 04/25 TO 10/05.

USDA AERIAL PHOTOGRAPH NO(S). 979-100 , DATED 09/20/1979 , APPEARS TO INDICATE 1079.40 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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## PRELIMINARY DECREE RED ROCK RIVER BASIN 41A 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 94806-00 STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT Status: ACTIVE
Owners:	FLAT IRON HOLDING II LLC 6602 N LOST DUTCHMAN RD PARADISE VALLEY, AZ 85253 4126
	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799
	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
	STOCKER RANCH LLC 3300 BLOODY DICK RD DILLON, MT 59725 9704 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
Priority Date:	JUNE 1, 1885
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:	364.00
Source Name: Source Type:	COYOTE CREEK SURFACE WATER

MAY 9, 2013 41A 94806-00 Page 2 of 3

#### Point of Diversion and Means of Diversion:

ID	<u>Govt I</u>	<u>ot Qtr Sec Sec Twp Rge County</u>
1		SENENW 24 9S 14W BEAVERHEAD
Period	of Diversion	APRIL 1 TO NOVEMBER 15
Divers	ion Means:	DIKE
Ditch N	Name:	BRENNER COYOTE CREEK DITCH NO. 9
		A SECONDARY POINT OF DIVERSION IS LOCATED IN THE NENWNE OF SEC 3, TWP 9S, RGE 13W, BEAVERHEAD COUNTY.

Period of Use: APRIL 1 TO NOVEMBER 15

#### \*Place of Use:

ID	<u>Acres</u> Go	vt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	10.00	1	E2NWNW	30	9S	13W	BEAVERHEAD
2	30.00	2	SWNW	30	9S	13W	BEAVERHEAD
3	10.00		W2NESW	30	9S	13W	BEAVERHEAD
4	33.00	3	NWSW	30	9S	13W	BEAVERHEAD
5	30.00		SESW	30	9S	13W	BEAVERHEAD
6	12.00	4	E2SWSW	30	9S	13W	BEAVERHEAD
7	36.00		NENE	31	9S	13W	BEAVERHEAD
8	38.00		NWNE	31	9S	13W	BEAVERHEAD
9	35.00		NENW	31	9S	13W	BEAVERHEAD
10	2.00	1	NENWNW	31	9S	13W	BEAVERHEAD
11	3.00		SWNWNE	24	9S	14W	BEAVERHEAD
12	26.00		SWNE	24	9S	14W	BEAVERHEAD
13	3.00		NESENW	24	9S	14W	BEAVERHEAD
14	10.00		W2NESE	24	9S	14W	BEAVERHEAD
15	20.00		E2NWSE	24	9S	14W	BEAVERHEAD
16	2.00		NWNWSE	24	9S	14W	BEAVERHEAD
17	30.00		SESE	24	9S	14W	BEAVERHEAD
18	5.00		NESWSE	24	9S	14W	BEAVERHEAD
19	4.00		SENESW	24	9S	14W	BEAVERHEAD
20	18.00		E2NENE	25	9S	14W	BEAVERHEAD
21	5.00		NWNENE	25	9S	14W	BEAVERHEAD
22	2.00		E2SENE	25	9S	14W	BEAVERHEAD
Total:	364.00						

#### 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.

94806-00 94807-00 94808-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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 MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS 04/25 TO 10/05.

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

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

## PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94807-00 STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT Status: ACTIVE
Owners:	FLAT IRON HOLDING II LLC 6602 N LOST DUTCHMAN RD PARADISE VALLEY, AZ 85253 4126
	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799
	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
	STOCKER RANCH LLC 3300 BLOODY DICK RD DILLON, MT 59725 9704 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
Priority Date:	JUNE 1, 1885
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:	364.00
Source Name:	COYOTE CREEK
Source Type:	SURFACE WATER

MAY 9, 2013 41A 94807-00 Page 2 of 3

<u>ID</u> <u>Govt</u>	Govt Lot		Sec	Twp	Rge	<b>County</b>
1		SENENW	24	9S	14W	BEAVERHEAD
Period of Diversion	n: APRIL 1	TO NOVEN	1BER 1	5		
<b>Diversion Means:</b>	DIKE					
Ditch Name:	BRENN	ER COYOTE	E CREE	EK DITO	CH NO	. 9
Period of Use:	APRIL 1	TO NOVEM	BER 1	5		

\*Place of Use:

ID	<u>Acres</u> Go	vt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	10.00	1	E2NWNW	30	9S	13W	BEAVERHEAD
2	30.00	2	SWNW	30	9S	13W	BEAVERHEAD
3	10.00		W2NESW	30	9S	13W	BEAVERHEAD
4	33.00	3	NWSW	30	9S	13W	BEAVERHEAD
5	30.00		SESW	30	9S	13W	BEAVERHEAD
6	12.00	4	E2SWSW	30	9S	13W	BEAVERHEAD
7	36.00		NENE	31	9S	13W	BEAVERHEAD
8	38.00		NWNE	31	9S	13W	BEAVERHEAD
9	35.00		NENW	31	9S	13W	BEAVERHEAD
10	2.00	1	NENWNW	31	9S	13W	BEAVERHEAD
11	3.00		SWNWNE	24	9S	14W	BEAVERHEAD
12	26.00		SWNE	24	9S	14W	BEAVERHEAD
13	4.00		SENENW	24	9S	14W	BEAVERHEAD
14	3.00		NESENW	24	9S	14W	BEAVERHEAD
15	10.00		W2NESE	24	9S	14W	BEAVERHEAD
16	20.00		E2NWSE	24	9S	14W	BEAVERHEAD
17	2.00		NWNWSE	24	9S	14W	BEAVERHEAD
18	30.00		SESE	24	9S	14W	BEAVERHEAD
19	5.00		NESWSE	24	9S	14W	BEAVERHEAD
20	18.00		E2NENE	25	9S	14W	BEAVERHEAD
21	5.00		NWNENE	25	9S	14W	BEAVERHEAD
22	2.00		E2SENE	25	9S	14W	BEAVERHEAD
Total:	364.00						

#### **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.

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AN AMENDMENT WAS RECEIVED ON 6/27/2006 TO REMOVE A SECONDARY POINT OF DIVERSION. THAT DIVERSION WAS NOT CLAIMED ON THIS WATER RIGHT (AND NOT ALL OWNERS' SIGNATURES WERE PRESENT ON THE AMENDMENT), SO THE AMENDMENT WAS NOT PROCESSED.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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 MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS 04/25 TO 10/05.

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

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

## PRELIMINARY DECREE RED ROCK RIVER BASIN 41A 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 94808-00 STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT Status: ACTIVE
Owners:	Status: ACTIVE FLAT IRON HOLDING II LLC 6602 N LOST DUTCHMAN RD PARADISE VALLEY, AZ 85253 4126
	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799
	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
	STOCKER RANCH LLC 3300 BLOODY DICK RD DILLON, MT 59725 9704 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
Priority Date:	JUNE 1, 1885
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:	364.00
Source Name: Source Type:	COYOTE CREEK SURFACE WATER

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#### Point of Diversion and Means of Diversion:

ID	Govt 1	<u>ot Qtr Sec Sec Twp Rge County</u>						
1		SENENW 24 9S 14W BEAVERHEAD						
Period	l of Diversion	APRIL 1 TO NOVEMBER 15						
Divers	sion Means:	DIKE						
Ditch	Name:	BRENNER COYOTE CREEK DITCH NO. 9						
		A SECONDARY POINT OF DIVERSION IS LOCATED IN THE NENWNE OF SEC 31, TWP 9S, RGE 13W, BEAVERHEAD COUNTY.						

Period of Use: APRIL 1 TO NOVEMBER 15

#### \*Place of Use:

ID	<u>Acres</u> Go	vt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	10.00	1	E2NWNW	30	9S	13W	BEAVERHEAD
2	30.00	2	SWNW	30	9S	13W	BEAVERHEAD
3	10.00		W2NESW	30	9S	13W	BEAVERHEAD
4	33.00	3	NWSW	30	9S	13W	BEAVERHEAD
5	30.00		SESW	30	9S	13W	BEAVERHEAD
6	12.00	4	E2SWSW	30	9S	13W	BEAVERHEAD
7	36.00		NENE	31	9S	13W	BEAVERHEAD
8	38.00		NWNE	31	9S	13W	BEAVERHEAD
9	35.00		NENW	31	9S	13W	BEAVERHEAD
10	2.00	1	NENWNW	31	9S	13W	BEAVERHEAD
11	3.00		SWNWNE	24	9S	14W	BEAVERHEAD
12	26.00		SWNE	24	9S	14W	BEAVERHEAD
13	4.00		SENENW	24	9S	14W	BEAVERHEAD
14	3.00		NESENW	24	9S	14W	BEAVERHEAD
15	10.00		W2NESE	24	9S	14W	BEAVERHEAD
16	20.00		E2NWSE	24	9S	14W	BEAVERHEAD
17	2.00		NWNWSE	24	9S	14W	BEAVERHEAD
18	30.00		SESE	24	9S	14W	BEAVERHEAD
19	5.00		NESWSE	24	9S	14W	BEAVERHEAD
20	18.00		E2NENE	25	9S	14W	BEAVERHEAD
21	5.00		NWNENE	25	9S	14W	BEAVERHEAD
22	2.00		E2SENE	25	9S	14W	BEAVERHEAD
Total:	364.00						

#### 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.

94806-00 94807-00 94808-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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 MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS 04/25 TO 10/05.

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

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

## **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94809-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	STOCKER RANCH LLC 3300 BLOODY DICK RD DILLON, MT 59725 9704				
Priority Date:	JUNE 1, 1885				
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 Areas	: 5 - LOW				
Maximum Acres:	168.00				
Source Name:	COYOTE CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and Means of Diversion:					
IDGovt I1	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SESWSE 11 9S 14W BEAVERHEAD				
Period of Diversion: APRIL 1 TO NOVEMBER 15					
Diversion Means:					
Ditch Name:	BRENNER COYOTE CREEK DITCH NO. 2 APRIL 1 TO NOVEMBER 15				
Period of Use:	AFRIL I TU NUVEINDER 13				

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#### Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1	3.00	NWNWNW	13	9S	14W	BEAVERHEAD
2	7.00	SWNWNW	13	9S	14W	BEAVERHEAD
3	3.00	NESWNW	13	9S	14W	BEAVERHEAD
4	7.00	SESWNW	13	9S	14W	BEAVERHEAD
5	20.00	W2SWNW	13	9S	14W	BEAVERHEAD
6	34.00	NWSW	13	9S	14W	BEAVERHEAD
7	37.00	SESW	13	9S	14W	BEAVERHEAD
8	7.00	NESWSW	13	9S	14W	BEAVERHEAD
9	1.00	SESWSW	13	9S	14W	BEAVERHEAD
10	33.00	NENE	14	9S	14W	BEAVERHEAD
11	9.00	NESENE	14	9S	14W	BEAVERHEAD
12	1.00	NWSENE	14	9S	14W	BEAVERHEAD
13	5.00	SESENE	14	9S	14W	BEAVERHEAD
14	1.00	NENESE	14	9S	14W	BEAVERHEAD
Total:	168.00					

#### **Remarks:**

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 10/09/2012.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 02/20/2013 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY FLAT IRON HOLDING II LLC.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94809-00 Page 3 of 3

## PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94810-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE				
Owners:	ROBYN WINGO 3505 LEMHI PASS RD DILLON, MT 59725 8059				
	THOMAS WINGO 3505 LEMHI PASS RD DILLON, MT 59725 8059				
Priority Date:	OCTOBER 22, 1900				
Type of Historical Right	: DECREED				
Purpose(use):	IRRIGATION				
Irrigation Type:	FLOOD				
Flow Rate:	3.05 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:	131.00				
Source Name:	SPRING CREEK				
Source Type:	SURFACE WATER				
Point of Diversion and Means of Diversion:					
$\frac{\mathbf{ID}}{1} \qquad \qquad \mathbf{Govt I}$	SWSWNW 22 10S 14W BEAVERHEAD				
	: APRIL 15 TO OCTOBER 31 HEADGATE				
Period of Use:	APRIL 15 TO OCTOBER 31				

#### \*Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<u>County</u>
1	81.00	SW	15	10S	14W	BEAVERHEAD
2	50.00	W2NW	22	10S	14W	BEAVERHEAD
Total:	131.00					

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

USE OF THE DITCH TO CONVEY WATER TO THE PLACE OF USE MAY BE QUESTIONABLE.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 10/28/2011, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY USDI BUREAU OF LAND MANAGEMENT.

USDA AERIAL PHOTOGRAPH NO(S). 979-85 , DATED 09/20/1979 , APPEARS TO INDICATE 110.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDI AERIAL PHOTOGRAPH NO. CXM-7B-103 , DATED 08/15/1942 , APPEARS TO INDICATE 108.00 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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## PRELIMINARY DECREE RED ROCK RIVER BASIN 41A 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 94811-00 STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	SEPTEMBER 1, 1886
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:	117.00
Source Name:	BLOODY DICK CREEK
Source Type:	SURFACE WATER
Point of Diversion and N	Aeans of Diversion:
IDGovt I1Period of DiversionDiversion Means:	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SESWNE 36 9S 14W BEAVERHEAD : APRIL 1 TO NOVEMBER 1 HEADGATE
Period of Use:	APRIL 1 TO NOVEMBER 1
	A RETTOROVENDER T
Place of Use: ID Acres Govt I	ot <u>Qtr Sec Sec Twp Rge County</u>
1 <u>117.00</u> Total: 117.00	31 9S 13W BEAVERHEAD

#### Remarks:

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

215761-00 94811-00 94812-00 94813-00 94814-00 94815-00 94816-00 94817-00 94818-00 94879-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: PLACE OF USE, MAXIMUM ACRES, POINT OF DIVERSION.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

## PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94812-00 STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT Status: ACTIVE				
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140				
*Priority Date:	DECEMBER 31, 1948				
*Type of Historical Right	: FILED				
Purpose(use):	IRRIGATION				
Irrigation Type:	FLOOD				
*Flow Rate:					
	NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF WASTE AND SEEPAGE.				
*Volume:	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 HORSE PRAIRIE CREEK				
Source Type:	SURFACE WATER				
	THE SOURCE IS WATER COLLECTED IN A DRAIN DITCH.				
*Point of Diversion and Means of Diversion:					
ID Govt I	LotQtr SecSecTwpRgeCounty3NWNWSW319S13WBEAVERHEAD				
	: APRIL 1 TO NOVEMBER 1				
<b>Diversion Means:</b>	DRAIN DITCH				
	DRAIN DITCH IS FED ALONG ITS FULL LENGTH BY UNDERGROUND SEEPS.				
Period of Use:	APRIL 1 TO NOVEMBER 1				

Place of	f Use:					
<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	80.00		31	9S	13W	BEAVERHEAD
Total:	80.00					

#### 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.

215761-00	94811-00	94812-00	94813-00	94814-00	94815-00	94816-00
94817-00	94818-00	94879-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

## **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

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

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

Water Right Number:	<b>41A 94813-00</b> STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	NOVEMBER 1, 1881
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:	389.00
Source Name:	TRAIL CREEK
Source Type:	SURFACE WATER
*Point of Diversion and M	Means of Diversion:
<u>ID</u> 1 Pariod of Diversion	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWSESW 31 9S 13W BEAVERHEAD : APRIL 1 TO NOVEMBER 1
Diversion Means:	HEADGATE
2	NWSESW 31 9S 13W BEAVERHEAD
Period of Diversion Diversion Means:	: APRIL 1 TO NOVEMBER 1 HEADGATE
3 Period of Diversion Diversion Means:	4 NESWSW 31 9S 13W BEAVERHEAD : APRIL 1 TO NOVEMBER 1 HEADGATE
Diversion means;	

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#### \*Point of Diversion and Means of Diversion:

<u>ID</u> 4	<u>Govt I</u>	Lot <u>Qtr Sec</u> NWSESE	<u>Sec</u> 36	<u>Twp</u> 9S	<u>Rge</u> 14W	<u>County</u> BEAVERHEAD
	iod of Diversion	: APRIL 1 TO NOVE		00		
Div	ersion Means:	HEADGATE				
5		SESESW	36	9S	14W	BEAVERHEAD
Per	iod of Diversion	: APRIL 1 TO NOVE	MBER 1			
Div	ersion Means:	HEADGATE				
6		2 SWNWNE	1	10S	14W	BEAVERHEAD
Per	iod of Diversion	: APRIL 1 TO NOVE	MBER 1			
Div	ersion Means:	HEADGATE				
		•=•=•	•. •			ON CHANNEL BRAIDS NOT SHOWN ON NTHE 1965 AND 1980 AERIAL PHOTOS.
Period o	f Use:	APRIL 1 TO NOVEN	/IBER 1			
Place of	Use:					
<u>ID</u>	<u>Acres</u> <u>Govt L</u>	<u>ot</u> <u>Qtr Sec</u>	Sec	Twp	Rge	County
1	365.00		31	9S	13W	BEAVERHEAD
2	24.00	N2N2NW	6	10S	13W	BEAVERHEAD

#### **Remarks:**

Total:

389.00

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

215761-00	94811-00	94812-00	94813-00	94814-00	94815-00	94816-00
94817-00	94818-00	94879-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINTS OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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. 1292, BEAVERHEAD COUNTY. 41A 94813-00, 41A 95105-00. 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	<b>41A 94814-00</b> STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	SEPTEMBER 1, 1886
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	1.70 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:	389.00
Source Name:	TRAIL CREEK
Source Type:	SURFACE WATER
*Point of Diversion and M	Aeans of Diversion:
<u>ID</u> 1 Portiod of Diversion	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWSESW 31 9S 13W BEAVERHEAD : APRIL 1 TO NOVEMBER 1
Diversion Means:	HEADGATE
2	NWSESW 31 9S 13W BEAVERHEAD
Period of Diversion Diversion Means:	: APRIL 1 TO NOVEMBER 1 HEADGATE
3 Period of Diversion Diversion Means:	4 NESWSW 31 9S 13W BEAVERHEAD : APRIL 1 TO NOVEMBER 1 HEADGATE

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\*Point of Diversion and Means of Diversion:

ID	<u>Govt I</u>		Sec	Twp	Rge			
4		NWSESE	36	9S	14W	BEAVERHEAD		
Per	riod of Diversion	: APRIL 1 TO NOVE	MBER 1					
Div	version Means:	HEADGATE						
5		SESESW	36	9S	14W	BEAVERHEAD		
Per	riod of Diversion	: APRIL 1 TO NOVE	<b>MBER 1</b>					
Div	version Means:	HEADGATE						
6		2 SWNWNE	1	10S	14W	BEAVERHEAD		
Per	iod of Diversion	: APRIL 1 TO NOVE	<b>MBER 1</b>					
Div	ersion Means:	HEADGATE						
	SEVERAL POINTS OF DIVERSION ARE ON CHANNEL BRAIDS NOT SHOWN ON THE TOPO BUT THAT ARE SHOWN ON THE 1965 AND THE 1980 AERIAL PHOTOS.							
Period o	of Use:	APRIL 1 TO NOVEN	IBER 1					
Place of Use:								
ID	<u>Acres</u> Govt L	Lot Qtr Sec	Sec	Twp	Rge	County		
1	365.00		31	9S	13W	BEAVERHEAD		
2	24.00	N2N2NW	6	10S	13W	BEAVERHEAD		
Total:	389.00							

#### **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.

215761-00	94811-00	94812-00	94813-00	94814-00	94815-00	94816-00
94817-00	94818-00	94879-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINTS OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	<b>41A 94815-00</b> STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	SEPTEMBER 1, 1886
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 Areas	5 - LOW
Maximum Acres:	389.00
Source Name:	TRAIL CREEK
Source Type:	SURFACE WATER
*Point of Diversion and M	Aeans of Diversion:
<u>ID</u> <u>Govt I</u> 1	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWSESW 31 9S 13W BEAVERHEAD : APRIL 1 TO NOVEMBER 1
Diversion Means:	HEADGATE
2	NWSESW 31 9S 13W BEAVERHEAD
Period of Diversion Diversion Means:	: APRIL 1 TO NOVEMBER 1 HEADGATE
3 Period of Diversion Diversion Means:	4 NESWSW 31 9S 13W BEAVERHEAD : APRIL 1 TO NOVEMBER 1 HEADGATE

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#### \*Point of Diversion and Means of Diversion:

<u>ID</u> 4	<u>Govt I</u>	Lot <u>Qtr Sec</u> NWSESE	<u>Sec</u> 36	<u>Twp</u> 9S	<u>Rge</u> 14W		
Per	iod of Diversion	: APRIL 1 TO NOVE	MBER 1				
Div	ersion Means:	HEADGATE					
5		SESESW	36	9S	14W	BEAVERHEAD	
Per	iod of Diversion	: APRIL 1 TO NOVE	MBER 1				
Div	ersion Means:	HEADGATE					
6		2 SWNWNE	1	10S	14W	BEAVERHEAD	
Per	iod of Diversion	: APRIL 1 TO NOVE	MBER 1				
Div	ersion Means:	HEADGATE					
SEVERAL POINTS OF DIVERSION ARE ON CHANNEL BRAIDS NOT SHOWN ON THE TOPO BUT THAT ARE SHOWN ON THE 1965 AND 1980 AERIAL PHOTOS.							
Period o	f Use:	APRIL 1 TO NOVEN	/IBER 1				
Place of	Use:						
<u>ID</u>	<u>Acres</u> <u>Govt L</u>	<u>ot</u> <u>Qtr Sec</u>	Sec	Twp	Rge	County	
1	365.00		31	9S	13W	BEAVERHEAD	
2	24.00	N2N2NW	6	10S	13W	BEAVERHEAD	

#### **Remarks:**

Total:

389.00

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

215761-00	94811-00	94812-00	94813-00	94814-00	94815-00	94816-00
94817-00	94818-00	94879-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINTS OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

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

Water Right Number:	<b>41A 94816-00</b> STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	NOVEMBER 1, 1881
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:	389.00
Source Name:	TRAIL CREEK
Source Type:	SURFACE WATER
*Point of Diversion and M	Aeans of Diversion:
ID Govt I 1 Period of Diversion	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWSESW 31 9S 13W BEAVERHEAD : APRIL 1 TO NOVEMBER 1
<b>Diversion Means:</b>	HEADGATE
2	NWSESW 31 9S 13W BEAVERHEAD
Period of Diversion Diversion Means:	: APRIL 1 TO NOVEMBER 1 HEADGATE
3	4 NESWSW 31 9S 13W BEAVERHEAD
Period of Diversion Diversion Means:	: APRIL 1 TO NOVEMBER 1 HEADGATE

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#### \*Point of Diversion and Means of Diversion:

<u>ID</u> 4	<u>Govt L</u>		<u>Qtr Sec</u> IWSESE	<u>Sec</u> 36	<u>Twp</u> 9S	<u>Rge</u> 14W	<u>County</u> BEAVERHEAD
	iod of Diversion:	APRIL 1 T		/BER 1			
Div	ersion Means:	HEADGA	TE				
5		S	SESESW	36	9S	14W	BEAVERHEAD
Per	iod of Diversion	APRIL 1 T	O NOVEN	IBER 1			
Div	ersion Means:	HEADGA	TE				
6		2 SI	WNWNE	1	10S	14W	BEAVERHEAD
Per	iod of Diversion	APRIL 1 T	O NOVEN	IBER 1			
Div	ersion Means:	HEADGA	TE				
							ON CHANNEL BRAIDS NOT SHOWN ON NTHE 1965 AND 1980 AERIAL PHOTOS.
Period o	of Use:	APRIL 1 T	O NOVEM	IBER 1			
Place of	Use:						
ID	<u>Acres</u> <u>Govt L</u>	<u>ot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	County
1	365.00			31	9S	13W	BEAVERHEAD
2	24.00	Ν	2N2NW	6	10S	13W	BEAVERHEAD

#### **Remarks:**

Total:

389.00

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

215761-00	94811-00	94812-00	94813-00	94814-00	94815-00	94816-00
94817-00	94818-00	94879-00				

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.

94816-00 95103-00 95108-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINTS OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

THREE AFFIDAVITS WERE SUBMITTED WITH THE ORIGINAL CLAIM FORM. ONE WAS BY WILLIAM C. JAMES SWEARING TO HOW THE WATER WAS HISTORICALLY USED AND SPLIT AND ABOUT AN AGREEMENT MADE WITH ELIZABETH F. BRENNER-TOURTELOT SPLITTING THE 1881 DECREED WATER RIGHT. THE SECOND WAS BY ELIZABETH F. BRENNER-TOURTELOT SWEARING TO THE NEIGHBORLY AGREEMENT ON HOW TO SPLIT THE SHARED DECREED 1881 WATER RIGHT. THE THIRD WAS BY ROBERT H. JAMES SWEARING TO THE HISTORIC USE AND SHARING OF THE 1881 WATER RIGHT.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	<b>41A 94817-00</b> STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	SEPTEMBER 1, 1886
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	1.65 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:	389.00
Source Name:	TRAIL CREEK
Source Type:	SURFACE WATER
*Point of Diversion and M	Means of Diversion:
<u>ID</u> <u>Govt I</u> 1 Period of Diversion	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWSESW 31 9S 13W BEAVERHEAD : APRIL 1 TO NOVEMBER 1
Diversion Means:	HEADGATE
2	NWSESW 31 9S 13W BEAVERHEAD
Period of Diversion Diversion Means:	: APRIL 1 TO NOVEMBER 1 HEADGATE
3 Period of Diversion Diversion Means:	4 NESWSW 31 9S 13W BEAVERHEAD : APRIL 1 TO NOVEMBER 1 HEADGATE

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#### \*Point of Diversion and Means of Diversion:

$\frac{\text{ID}}{4}$	<u>Govt I</u>	Lot Qtr Sec NWSESE	<u>Sec</u> 36	<u>Twp</u> 9S		<u>County</u> BEAVERHEAD
-	iod of Diversion	: APRIL 1 TO NOVE		00		
Div	ersion Means:	HEADGATE				
5		SESESW	36	9S	14W	BEAVERHEAD
Per	iod of Diversion	: APRIL 1 TO NOVE	MBER 1			
Div	ersion Means:	HEADGATE				
6		2 SWNWNE	1	10S	14W	BEAVERHEAD
Per	iod of Diversion	: APRIL 1 TO NOVE	MBER 1			
Div	ersion Means:	HEADGATE				
			-			E ON CHANNEL BRAIDS NOT SHOWN ON N THE 1965 AND THE 1980 AERIAL PHOTO.
Period o	of Use:	APRIL 1 TO NOVE	MBER 1			
Place of	Use:					
<u>ID</u>	<u>Acres</u> <u>Govt L</u>	Lot Qtr Sec	Sec	Twp	Rge	County
1	365.00		31	9S	13W	BEAVERHEAD
2	24.00	N2N2NW	6	10S	13W	BEAVERHEAD

#### **Remarks:**

Total:

389.00

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

215761-00	94811-00	94812-00	94813-00	94814-00	94815-00	94816-00
94817-00	94818-00	94879-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINTS OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

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

Water Right Number:	<b>41A 94818-00</b> STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	SEPTEMBER 1, 1886
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:	389.00
Source Name:	TRAIL CREEK
Source Type:	SURFACE WATER
*Point of Diversion and N	Aeans of Diversion:
IDGovt I1Period of Diversion	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWSESW 31 9S 13W BEAVERHEAD : APRIL 1 TO NOVEMBER 1
<b>Diversion Means:</b>	HEADGATE
2	NWSESW 31 9S 13W BEAVERHEAD
Period of Diversion Diversion Means:	: APRIL 1 TO NOVEMBER 1 HEADGATE
3	4 NESWSW 31 9S 13W BEAVERHEAD
Period of Diversion Diversion Means:	: APRIL 1 TO NOVEMBER 1 HEADGATE

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#### \*Point of Diversion and Means of Diversion:

<u>ID</u> 4	<u>Govt I</u>	Lot <u>Qtr Sec</u> NWSESE	<u>Sec</u> 36	<u>Twp</u> 9S	<u>Rge</u> 14W			
	iod of Diversion	: APRIL 1 TO NOVE						
Div	ersion Means:	HEADGATE						
5		SESESW	36	9S	14W	BEAVERHEAD		
Per	iod of Diversion	: APRIL 1 TO NOVE	MBER 1					
Div	ersion Means:	HEADGATE						
6		2 SWNWNE	1	10S	14W	BEAVERHEAD		
Per	iod of Diversion	: APRIL 1 TO NOVE	MBER 1					
Div	ersion Means:	HEADGATE						
	SEVERAL POINTS OF DIVERSION ARE ON CHANNEL BRAIDS NOT SHOWN ON THE TOPO BUT THAT ARE SHOWN ON 1965 AND 1980 AERIAL PHOTOS.							
Period o	f Use:	APRIL 1 TO NOVEN	/IBER 1					
Place of	Use:							
<u>ID</u>	<u>Acres</u> <u>Govt L</u>	<u>ot</u> <u>Qtr Sec</u>	Sec	Twp	Rge	County		
1	365.00		31	9S	13W	BEAVERHEAD		
2	24.00	N2N2NW	6	10S	13W	BEAVERHEAD		

#### **Remarks:**

Total:

389.00

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

215761-00	94811-00	94812-00	94813-00	94814-00	94815-00	94816-00
94817-00	94818-00	94879-00				

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINTS OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94819-00 STATEMENT OF CLAIM				
	Version: 2 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140				
Priority Date:	JULY 1, 1886				
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:	836.00				
Source Name:	HORSE PRAIRIE CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and M	Means of Diversion:				
<u>ID</u> <u>Govt I</u>	Lot <u>Qtr Sec Sec Twp Rge County</u> NWSESW 6 10S 13W BEAVERHEAD				
•	: APRIL 1 TO NOVEMBER 1				
Diversion Means:	HEADGATE				
2	NENENE 13 10S 14W BEAVERHEAD				
Period of Diversion	: APRIL 1 TO NOVEMBER 1				
<b>Diversion Means:</b>	HEADGATE				
3	SWNENW 24 10S 14W BEAVERHEAD				
	: APRIL 1 TO NOVEMBER 1				
<b>Diversion Means:</b>	HEADGATE				
Period of Use:					

Place of Use:

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	43.00	SE	31	9S	13W	BEAVERHEAD
2	373.00		6	10S	13W	BEAVERHEAD
3	113.00	W2W2	7	10S	13W	BEAVERHEAD
4	115.00		12	10S	14W	BEAVERHEAD
5	181.00		13	10S	14W	BEAVERHEAD
6	11.00	NENW	24	10S	14W	BEAVERHEAD
Total:	836.00					

#### **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.

215760-00	94819-00	94820-00	94821-00	94822-00	94823-00	94824-00
94825-00	94826-00	94827-00	94828-00	94829-00	94830-00	94831-00
94871-00	94872-00	94873-00	94874-00	94875-00	94878-00	94880-00
94881-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINTS OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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 06/27/2006 TO AMEND THE POINTS OF DIVERSION, MAXIMUM ACRES, AND PLACE OF USE "TO MORE ACCURATELY REFLECT HISTORIC USE". THE AMENDMENT DIRECTLY CONTRADICTS AN AFFIDAVIT SUBMITTED APRIL 1982 WITH THE ORIGINAL CLAIM FORM. THE AFFIDAVIT SPECIFIES HISTORIC USE FROM EARLIEST KNOWLEDGE IN 1945 THROUGH 1982 AS A 60 ACRE PLACE OF USE WITH ONE SPECIFIC POINT OF DIVERSION. THE AMENDMENT INCREASES THE PLACE OF USE TO 836 ACRES WITH 3 POINTS OF DIVERSION. THE PLACE OF USE 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94820-00 STATEMENT OF CLAIM
	Version: 3 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
<b>Priority Date:</b>	JULY 1, 1886
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 Areas	: 5 - LOW
Maximum Acres:	525.00
Source Name:	HORSE PRAIRIE CREEK
Source Type:	SURFACE WATER
Point of Diversion and M	Aeans of Diversion:
ID Govt I	Lot <u>Qtr Sec Sec Twp Rge County</u> SWNENW 24 10S 14W BEAVERHEAD
Period of Diversion	: APRIL 1 TO NOVEMBER 1
<b>Diversion Means:</b>	HEADGATE
Period of Use:	APRIL 1 TO NOVEMBER 1
*Place of Use:	
ID <u>Acres</u> Govt I	<u>ot Qtr Sec Sec Twp Rge County</u>
1 15.00	W2NE 6 10S 13W BEAVERHEAD
2 180.00	W2 6 10S 13W BEAVERHEAD
3 70.00	W2W2 7 10S 13W BEAVERHEAD

\*Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	County
4	5.00	E2SESE	1	10S	14W	BEAVERHEAD
5	140.00	E2	12	10S	14W	BEAVERHEAD
6	115.00	E2	13	10S	14W	BEAVERHEAD
Total:	525.00					

#### 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.

215760-00	94819-00	94820-00	94821-00	94822-00	94823-00	94824-00
94825-00	94826-00	94827-00	94828-00	94829-00	94830-00	94831-00
94871-00	94872-00	94873-00	94874-00	94875-00	94878-00	94880-00
94881-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/19/1996: MAXIMUM ACRES, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

AUTHORIZATION TO CHANGE PERIOD OF DIVERSION COMPLETED 10/06/2000. 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. 41A 94820-00.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94820-00 Page 3 of 3

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94821-00 STATEMENT OF CLAIM
	Version: 3 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
<b>Priority Date:</b>	JULY 1, 1886
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:	525.00
Source Name:	HORSE PRAIRIE CREEK
Source Type:	SURFACE WATER
Point of Diversion and M	Means of Diversion:
ID Govt I	
1 Derich fDirection	SWNENW 24 10S 14W BEAVERHEAD : APRIL 1 TO NOVEMBER 1
Diversion Means:	HEADGATE
Period of Use:	APRIL 1 TO NOVEMBER 1
*Place of Use:	
*Place of Use: <u>ID Acres Govt I</u>	Lot Qtr Sec Sec Twp Rge County
1 15.00	W2NE 6 10S 13W BEAVERHEAD
2 180.00	W2 6 10S 13W BEAVERHEAD
3 70.00	W2W2 7 10S 13W BEAVERHEAD

\*Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	County
4	5.00	E2SESE	1	10S	14W	BEAVERHEAD
5	140.00	E2	12	10S	14W	BEAVERHEAD
6	115.00	E2	13	10S	14W	BEAVERHEAD
Total:	525.00					

#### 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.

215760-00	94819-00	94820-00	94821-00	94822-00	94823-00	94824-00
94825-00	94826-00	94827-00	94828-00	94829-00	94830-00	94831-00
94871-00	94872-00	94873-00	94874-00	94875-00	94878-00	94880-00
94881-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/19/1996: MAXIMUM ACRES, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

AUTHORIZATION TO CHANGE POINT OF DIVERSION COMPLETED 10/06/2000. 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. 41A 94820-00.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94821-00 Page 3 of 3

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94822-00 S	TATEMENT O	F CLAIM	
	Version: 3 OR	RIGINAL RIGHT	-	
	Status:	ACTIVE		
Owners:	LEMHI FRONTIER 4800 FALLS OF NI RALEIGH, NC 276	EUSE RD, STE	315	
<b>Priority Date:</b>	JULY 1, 1886			
Type of Historical Right	:DECREED			
Purpose(use):	IRRIGATION			
Irrigation Type:	FLOOD			
Flow Rate:	1.00 CFS			
*Volume:	THE TOTAL VOLU AMOUNT PUT TO			ALL NOT EXCEED THE JSE.
Climatic Area	: 5 - LOW			
Maximum Acres:	525.00			
Source Name:	HORSE PRAIRIE	CREEK		
Source Type:	SURFACE W	ATER		
Point of Diversion and	Means of Diversion:			
<u>ID</u> <u>Govt</u>		·	<u>Rge</u> <u>County</u>	
1 Dowing of Diversion	SWNENW APRIL 1 TO NOVE		14W BEAVERH	EAD
	HEADGATE			
Period of Use:	APRIL 1 TO NOVE	MBER 1		
*Place of Use:				
<u>ID</u> <u>Acres Govt</u>	Lot Qtr Sec	<u>Sec</u> <u>Twp</u>	<u>Rge</u> <u>County</u>	
1 15.00	W2NE			FAD
2 180.00	W2			
3 70.00	W2W2	7 10S		

\*Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
4	5.00	E2SESE	1	10S	14W	BEAVERHEAD
5	140.00	E2	12	10S	14W	BEAVERHEAD
6	115.00	E2	13	10S	14W	BEAVERHEAD
Total:	525.00					

#### 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.

215760-00	94819-00	94820-00	94821-00	94822-00	94823-00	94824-00
94825-00	94826-00	94827-00	94828-00	94829-00	94830-00	94831-00
94871-00	94872-00	94873-00	94874-00	94875-00	94878-00	94880-00
94881-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/19/1996: MAXIMUM ACRES, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

AUTHORIZATION TO CHANGE POINT OF DIVERSION COMPLETED 10/06/2000. 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. 41A 94820-00.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94822-00 Page 3 of 3

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94823-00 ST	ATEMENT OF	CLAIM	
	Version: 3 ORIG	GINAL RIGHT		
	Status:	ACTIVE		
Owners:	LEMHI FRONTIER L 4800 FALLS OF NEU RALEIGH, NC 27609	JSE RD, STE	315	
<b>Priority Date:</b>	JULY 1, 1886			
Type of Historical Right	:DECREED			
Purpose(use):	IRRIGATION			
Irrigation Type:	FLOOD			
Flow Rate:	1.23 CFS			
*Volume:	THE TOTAL VOLUM AMOUNT PUT TO H			SHALL NOT EXCEED THE IAL USE.
Climatic Area	: 5 - LOW			
Maximum Acres:	525.00			
Source Name:	HORSE PRAIRIE CF	REEK		
Source Type:	SURFACE WA	TER		
Point of Diversion and I	Means of Diversion:			
ID Govt 1	Lot Qtr Sec	$\frac{\text{Sec}}{24}$ $\frac{\text{Twp}}{108}$	$\frac{\text{Rge}}{1.4}  \frac{\text{Count}}{1.6}$	
<u>ID</u> <u>Govt I</u>	Lot Qtr Sec SWNENW	24 10S	<u>Rge</u> <u>Count</u> 14W BEAV	
ID Govt 1 1 Period of Diversion	Lot Qtr Sec	24 10S		
ID Govt 1 1 Period of Diversion	Lot <u>Qtr Sec</u> SWNENW : APRIL 1 TO NOVEN	24 10S 1BER 1		
D Govt 1 1 Period of Diversion Diversion Means: Period of Use:	Lot <u>Qtr Sec</u> SWNENW : APRIL 1 TO NOVEN HEADGATE	24 10S 1BER 1		
IDGovt I1Period of DiversionDiversion Means:	Lot <u>Qtr Sec</u> SWNENW : APRIL 1 TO NOVEM HEADGATE APRIL 1 TO NOVEM	24 10S 1BER 1		ĒRHEAD
ID       Govt I         1       Period of Diversion         Diversion Means:       Period of Use:         *Place of Use:       Period of Use:	Lot <u>Qtr Sec</u> SWNENW : APRIL 1 TO NOVEM HEADGATE APRIL 1 TO NOVEM	24 10S 1BER 1 BER 1	14W BEAV	ERHEAD Y
ID       Govt I         1       Period of Diversion         Diversion Means:       Period of Use:         *Place of Use:       ID         ID       Acres Govt I	Lot <u>Qtr Sec</u> SWNENW : APRIL 1 TO NOVEN HEADGATE APRIL 1 TO NOVEM Lot <u>Qtr Sec</u>	24 10S IBER 1 IBER 1 <u>Sec Twp</u>	14W BEAV	ERHEAD Y ERHEAD

\*Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	County
4	5.00	E2SESE	1	10S	14W	BEAVERHEAD
5	140.00	E2	12	10S	14W	BEAVERHEAD
6	115.00	E2	13	10S	14W	BEAVERHEAD
Total:	525.00					

#### 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.

215760-00	94819-00	94820-00	94821-00	94822-00	94823-00	94824-00
94825-00	94826-00	94827-00	94828-00	94829-00	94830-00	94831-00
94871-00	94872-00	94873-00	94874-00	94875-00	94878-00	94880-00
94881-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/19/1996: MAXIMUM ACRES, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

AUTHORIZATION TO CHANGE POINT OF DIVERSION COMPLETED 10/06/2000. 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. 41A 94820-00.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94823-00 Page 3 of 3

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94824-00 STATEMENT OF CLAIM
	Version: 3 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
<b>Priority Date:</b>	JULY 1, 1886
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	1.85 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:	525.00
Source Name:	HORSE PRAIRIE CREEK
Source Type:	SURFACE WATER
Point of Diversion and N	Means of Diversion:
ID Govt I	
1	SWNENW 24 10S 14W BEAVERHEAD
	: APRIL 1 TO NOVEMBER 1 HEADGATE
Period of Use:	APRIL 1 TO NOVEMBER 1
*Place of Use:	
ID <u>Acres Govt I</u>	
1 15.00	W2NE 6 10S 13W BEAVERHEAD
2 180.00	W2 6 10S 13W BEAVERHEAD
3 70.00	W2W2 7 10S 13W BEAVERHEAD

\*Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	County
4	5.00	E2SESE	1	10S	14W	BEAVERHEAD
5	140.00	E2	12	10S	14W	BEAVERHEAD
6	115.00	E2	13	10S	14W	BEAVERHEAD
Total:	525.00					

#### 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.

215760-00	94819-00	94820-00	94821-00	94822-00	94823-00	94824-00
94825-00	94826-00	94827-00	94828-00	94829-00	94830-00	94831-00
94871-00	94872-00	94873-00	94874-00	94875-00	94878-00	94880-00
94881-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/19/1996: MAXIMUM ACRES, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

AUTHORIZATION TO CHANGE POINT OF DIVERSION COMPLETED 10/06/2000. 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. 41A 94820-00.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94824-00 Page 3 of 3

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

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Water Right Number:	41A 94825-0	O STA	TEME	NT OF	CLAII	М
	Version: 3	ORIG	INAL F	RIGHT		
	S	tatus:	AC	TIVE		
Owners:	LEMHI FRON 4800 FALLS RALEIGH, NO	OF NEU	SE RD	, STE :	315	
Priority Date:	JULY 1, 1886					
Type of Historical Righ	t: DECREED					
Purpose(use):	IRRIGATION					
Irrigation Type	: FLOOD					
Flow Rate:	2.10 CFS					
*Volume:						RIGHT SHALL NOT EXCEED THE ENEFICIAL USE.
Climatic Area	a: 5 - LOW					
Maximum Acres:	525.00					
Source Name:	HORSE PRA	IRIE CR	EEK			
Source Type:	SURFA	CE WAT	ER			
Point of Diversion and	Means of Divers	sion:				
<u>ID</u> <u>Govt</u>			Sec	Twp		County
1 Period of Diversio	-		24	10S	14VV	BEAVERHEAD
Diversion Means:	HEADGATE		JER I			
Period of Use:	APRIL 1 TO N	NOVEME	BER 1			
*Place of Use:						
ID Acres Govt	Lot O	tr Sec	Sec	Twp	Røe	County
1 15.00		V2NE	6	10S		BEAVERHEAD
2 180.00	v	W2	6	10S		BEAVERHEAD
3 70.00	V	/2W2	7			BEAVERHEAD

\*Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
4	5.00	E2SESE	1	10S	14W	BEAVERHEAD
5	140.00	E2	12	10S	14W	BEAVERHEAD
6	115.00	E2	13	10S	14W	BEAVERHEAD
Total:	525.00					

#### 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.

215760-00	94819-00	94820-00	94821-00	94822-00	94823-00	94824-00
94825-00	94826-00	94827-00	94828-00	94829-00	94830-00	94831-00
94871-00	94872-00	94873-00	94874-00	94875-00	94878-00	94880-00
94881-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/19/1996: MAXIMUM ACRES, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

AUTHORIZATION TO CHANGE POINT OF DIVERSION COMPLETED 10/06/2000. 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. 41A 94820-00.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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 84 MINER'S INCHES DECREED IN CASE NO. 1292, BEAVERHEAD COUNTY. 41A 94825-00, 41A 94863-00, 41A 94864-00.

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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94825-00 Page 3 of 3

### **IMPORTANT NOTICE**

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Water Right Number:	41A 94826-00 STATEMENT OF CLAIM
	Version: 3 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
<b>Priority Date:</b>	JULY 1, 1886
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:	525.00
Source Name:	HORSE PRAIRIE CREEK
Source Type:	SURFACE WATER
Point of Diversion and M	Aeans of Diversion:
ID 1 Govt I	SWNENW 24 10S 14W BEAVERHEAD
	: APRIL 1 TO NOVEMBER 1
Diversion Means:	HEADGATE
Period of Use:	APRIL 1 TO NOVEMBER 1
*Place of Use:	
ID <u>Acres Govt I</u>	
1 15.00	W2NE 6 10S 13W BEAVERHEAD
2 180.00	W2 6 10S 13W BEAVERHEAD
3 70.00	W2W2 7 10S 13W BEAVERHEAD

\*Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
4	5.00	E2SESE	1	10S	14W	BEAVERHEAD
5	140.00	E2	12	10S	14W	BEAVERHEAD
6	115.00	E2	13	10S	14W	BEAVERHEAD
Total:	525.00					

#### 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.

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94825-00	94826-00	94827-00	94828-00	94829-00	94830-00	94831-00
94871-00	94872-00	94873-00	94874-00	94875-00	94878-00	94880-00
94881-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/19/1996: MAXIMUM ACRES, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

AUTHORIZATION TO CHANGE POINT OF DIVERSION COMPLETED 10/06/2000. 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. 41A 94820-00.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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. 1292 , BEAVERHEAD COUNTY. 41A 94826-00, 41A 94870-00.

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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94826-00 Page 3 of 3

### **IMPORTANT NOTICE**

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Water Right Number:	41A 94827-00 STATEMENT OF CLAIM
	Version: 3 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
<b>Priority Date:</b>	JULY 1, 1886
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:	525.00
Source Name:	HORSE PRAIRIE CREEK
Source Type:	SURFACE WATER
Point of Diversion and N	Aeans of Diversion:
<u>ID</u> <u>Govt I</u>	Lot <u>Qtr Sec Sec Twp Rge County</u> SWNENW 24 10S 14W BEAVERHEAD
Period of Diversion	: APRIL 1 TO NOVEMBER 1
<b>Diversion Means:</b>	HEADGATE
Period of Use:	APRIL 1 TO NOVEMBER 1
*Place of Use:	
ID Acres Govt I	<u>.ot Qtr Sec Sec Twp Rge County</u>
1 15.00	W2NE 6 10S 13W BEAVERHEAD
2 180.00	W2 6 10S 13W BEAVERHEAD
3 70.00	W2W2 7 10S 13W BEAVERHEAD

\*Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
4	5.00	E2SESE	1	10S	14W	BEAVERHEAD
5	140.00	E2	12	10S	14W	BEAVERHEAD
6	115.00	E2	13	10S	14W	BEAVERHEAD
Total:	525.00					

#### 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.

215760-00	94819-00	94820-00	94821-00	94822-00	94823-00	94824-00
94825-00	94826-00	94827-00	94828-00	94829-00	94830-00	94831-00
94871-00	94872-00	94873-00	94874-00	94875-00	94878-00	94880-00
94881-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/19/1996: MAXIMUM ACRES, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

AUTHORIZATION TO CHANGE POINT OF DIVERSION COMPLETED 10/06/2000. 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. 41A 94820-00.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94827-00 Page 3 of 3

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94828-00 STATEMENT OF CLAIM				
	Version: 2 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140				
Priority Date:	JUNE 1, 1883				
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:	836.00				
Source Name:	HORSE PRAIRIE CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and M	Means of Diversion:				
<u>ID</u> <u>Govt I</u>	Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> NWSESW 6 10S 13W BEAVERHEAD				
Period of Diversion	: APRIL 1 TO NOVEMBER 1				
<b>Diversion Means:</b>	HEADGATE				
2	NENENE 13 10S 14W BEAVERHEAD				
Period of Diversion Diversion Means:	: APRIL 1 TO NOVEMBER 1 HEADGATE				
3	SWNENW 24 10S 14W BEAVERHEAD				
Period of Diversion	: APRIL 1 TO NOVEMBER 1				
<b>Diversion Means:</b>	HEADGATE				
Period of Use:					

Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	43.00	SE	31	9S	13W	BEAVERHEAD
2	373.00		6	10S	13W	BEAVERHEAD
3	113.00	W2W2	7	10S	13W	BEAVERHEAD
4	115.00		12	10S	14W	BEAVERHEAD
5	181.00		13	10S	14W	BEAVERHEAD
6	11.00	NENW	24	10S	14W	BEAVERHEAD
Total:	836.00					

#### **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.

215760-00	94819-00	94820-00	94821-00	94822-00	94823-00	94824-00
94825-00	94826-00	94827-00	94828-00	94829-00	94830-00	94831-00
94871-00	94872-00	94873-00	94874-00	94875-00	94878-00	94880-00
94881-00						

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.

94828-00 94866-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINTS OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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. 1292, BEAVERHEAD COUNTY. 41A 94828-00, 41A 94866-00, 41A 94867-00.

THE PLACE OF USE 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

Water Right Number:	<b>41A 94829-00</b> STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	AUGUST 1, 1883
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:	836.00
Source Name:	HORSE PRAIRIE CREEK
Source Type:	SURFACE WATER
*Point of Diversion and M	Aeans of Diversion:
<u>ID</u> <u>Govt I</u>	Lot <u>Qtr Sec Sec Twp Rge County</u> NWSESW 6 10S 13W BEAVERHEAD
Period of Diversion	: APRIL 1 TO NOVEMBER 1
<b>Diversion Means:</b>	HEADGATE
2	NENENE 13 10S 14W BEAVERHEAD
	: APRIL 1 TO NOVEMBER 1
<b>Diversion Means:</b>	HEADGATE
3	SWNENW 24 10S 14W BEAVERHEAD
Period of Diversion Diversion Means:	: APRIL 1 TO NOVEMBER 1 HEADGATE
Period of Use:	
reriou of Use:	

Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	43.00	SE	31	9S	13W	BEAVERHEAD
2	373.00		6	10S	13W	BEAVERHEAD
3	113.00	W2W2	7	10S	13W	BEAVERHEAD
4	115.00		12	10S	14W	BEAVERHEAD
5	181.00		13	10S	14W	BEAVERHEAD
6	11.00	NENW	24	10S	14W	BEAVERHEAD
Total:	836.00					

#### **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.

215760-00	94819-00	94820-00	94821-00	94822-00	94823-00	94824-00
94825-00	94826-00	94827-00	94828-00	94829-00	94830-00	94831-00
94871-00	94872-00	94873-00	94874-00	94875-00	94878-00	94880-00
94881-00						

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.

94829-00 94869-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINTS OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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 06/27/2006 TO AMEND THE POINTS OF DIVERSION, MAXIMUM ACRES, AND PLACE OF USE "TO MORE ACCURATELY REFLECT HISTORIC USE". THE AMENDMENT DIRECTLY CONTRADICTS AN AFFIDAVIT SUBMITTED APRIL 1982 WITH THE ORIGINAL CLAIM FORM. THE AFFIDAVIT SPECIFIES HISTORIC USE FROM EARLIEST KNOWLEDGE IN 1945 THROUGH 1982 AS A 195 ACRE PLACE OF USE WITH TWO SPECIFIC POINTS OF DIVERSION. THE AMENDMENT INCREASES THE PLACE OF USE TO 836 ACRES WITH 3 POINTS OF DIVERSION.

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. 1292, BEAVERHEAD COUNTY. 41A 94829-00, 41A 94869-00, 41A 94871-00.

THE PLACE OF USE 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94830-00 STATEMENT OF CLAIM
	Version: 2 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	JUNE 1, 1876
Type of Historical Right	:DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	7.30 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:	836.00
Source Name:	HORSE PRAIRIE CREEK
Source Type:	SURFACE WATER
*Point of Diversion and M	Means of Diversion:
<u>ID</u> <u>Govt I</u>	
1	NWSESW 6 10S 13W BEAVERHEAD
Period of Diversion Diversion Means:	: APRIL 1 TO NOVEMBER 1 HEADGATE
2	NENENE 13 10S 14W BEAVERHEAD
—	APRIL 1 TO NOVEMBER 1
Diversion Means:	HEADGATE
3	SWNENW 24 10S 14W BEAVERHEAD
<b>Period of Diversion</b>	: APRIL 1 TO NOVEMBER 1
<b>Diversion Means:</b>	HEADGATE
Period of Use:	

**Place of Use:** 

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	43.00	SE	31	9S	13W	BEAVERHEAD
2	373.00		6	10S	13W	BEAVERHEAD
3	113.00	W2W2	7	10S	13W	BEAVERHEAD
4	115.00		12	10S	14W	BEAVERHEAD
5	181.00		13	10S	14W	BEAVERHEAD
6	11.00	NENW	24	10S	14W	BEAVERHEAD
Total:	836.00					

#### **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.

215760-00	94819-00	94820-00	94821-00	94822-00	94823-00	94824-00
94825-00	94826-00	94827-00	94828-00	94829-00	94830-00	94831-00
94871-00	94872-00	94873-00	94874-00	94875-00	94878-00	94880-00
94881-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINTS OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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 06/27/2006 TO AMEND THE POINTS OF DIVERSION, MAXIMUM ACRES, AND PLACE OF USE "TO MORE ACCURATELY REFLECT HISTORIC USE". THE AMENDMENT DIRECTLY CONTRADICTS AN AFFIDAVIT SUBMITTED APRIL 1982 WITH THE ORIGINAL CLAIM FORM. THE AFFIDAVIT SPECIFIES HISTORIC USE FROM EARLIEST KNOWLEDGE IN 1945 THROUGH 1982 AS A 500 ACRE PLACE OF USE WITH ONE SPECIFIC POINT OF DIVERSION. THE AMENDMENT INCREASES THE PLACE OF USE TO 836 ACRES WITH 3 POINTS OF DIVERSION.

THE PLACE OF USE 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94831-00 STATEMENT OF CLAIM					
	Version: 2 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140					
Priority Date:	JULY 1, 1881					
Type of Historical Right	: DECREED					
Purpose(use):	IRRIGATION					
Irrigation Type:	FLOOD					
Flow Rate:	1.15 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:	836.00					
Source Name:	HORSE PRAIRIE CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and M	Means of Diversion:					
<u>ID</u> <u>Govt I</u>	Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> NWSESW 6 10S 13W BEAVERHEAD					
•	APRIL 1 TO NOVEMBER 1					
Diversion Means:	HEADGATE					
2	NENENE 13 10S 14W BEAVERHEAD					
Period of Diversion: APRIL 1 TO NOVEMBER 1 Diversion Means: HEADGATE						
3	SWNENW 24 10S 14W BEAVERHEAD					
Period of Diversion	: APRIL 1 TO NOVEMBER 1					
<b>Diversion Means:</b>	HEADGATE					
Period of Use:						

Place of Use:

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	43.00	SE	31	9S	13W	BEAVERHEAD
2	373.00		6	10S	13W	BEAVERHEAD
3	113.00	W2W2	7	10S	13W	BEAVERHEAD
4	115.00		12	10S	14W	BEAVERHEAD
5	181.00		13	10S	14W	BEAVERHEAD
6	11.00	NENW	24	10S	14W	BEAVERHEAD
Total:	836.00					

#### **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.

215760-00	94819-00	94820-00	94821-00	94822-00	94823-00	94824-00
94825-00	94826-00	94827-00	94828-00	94829-00	94830-00	94831-00
94871-00	94872-00	94873-00	94874-00	94875-00	94878-00	94880-00
94881-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINTS OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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 06/27/2006 TO AMEND THE POINTS OF DIVERSION, MAXIMUM ACRES, AND PLACE OF USE "TO MORE ACCURATELY REFLECT HISTORIC USE". THE AMENDMENT DIRECTLY CONTRADICTS AN AFFIDAVIT SUBMITTED APRIL 1982 WITH THE ORIGINAL CLAIM FORM. THE AFFIDAVIT SPECIFIES HISTORIC USE FROM EARLIEST KNOWLEDGE IN 1945 THROUGH 1982 AS A 195 ACRE PLACE OF USE WITH TWO SPECIFIC POINTS OF DIVERSION. THE AMENDMENT INCREASES THE PLACE OF USE TO 836 ACRES WITH 3 POINTS OF DIVERSION.

THE PLACE OF USE 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94832	- <b>00</b> ST	ATEME	ENT OF	CLAII	Μ
	Version:	1 ORIO	GINAL	RIGHT		
		Status:	AC	TIVE		
Owners:	HORSE PR 4275 BLOC DILLON, M	DY DICK	RD	CK CO		
Priority Date:	JULY 22, 1	880				
Type of Historical Right	:USE					
Purpose(use):	STOCK					
*Flow Rate:	CONSISTS DITCH SYS	OF STO STEM. TH	CK DR IE FLC	INKING W RAT	DIRE E IS L	EN DECREED BECAUSE THIS USE CTLY FROM THE SOURCE, OR FROM A IMITED TO THE MINIMUM AMOUNT AIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.					
*Source Name:	BLOODY D	ICK CRE	EK			
Source Type:	SURF	ACE WA	TER			
*Point of Diversion and I	Means of Dive	ersion:				
ID Govt 1	N	<u>Qtr Sec</u> ENESE	<u>Sec</u> 35	<u>Twp</u> 9S		<u>County</u> BEAVERHEAD
Period of Diversion Diversion Means:	: JANUARY LIVESTOC	-	-	-	DCE	
Period of Use:	JANUARY				NUE	
	JANOAN	TIODEC				
Place of Use: ID Acres Govt I	ot	Qtr Sec	Sec	Twp	Rae	County
1	N	IENESE	35	9S	147	BEAVERHEAD

#### Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94833-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	ARCHIE D RIPPETO % MARCUS R SANDERS 885 CLARKS LOOKOUT RD DILLON, MT 59725 7376						
	MARCUS R SANDERS 885 CLARKS LOOKOUT RD DILLON, MT 59725 7376						
Priority Date:	JANUARY 19, 1925						
Type of Historical Right	:USE						
Purpose(use):	STOCK						
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.						
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.						
Source Name:	EAST TERRELL CREEK						
Source Type:	SURFACE WATER						
*Point of Diversion and Means of Diversion:							
<u>ID</u> <u>Govt I</u>	Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> SESENW 14 9S 15W BEAVERHEAD						
•	: MAY 1 TO DECEMBER 31						
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE						

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\*Point of Diversion and Means of Diversion:

ID	<u>Govt I</u>	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
2			N2SW	14	9S	15W	BEAVERHEAD
Perio	d of Diversion	: MAY 1 TC	BER 31				
Diver	sion Means:	LIVESTO	CK DIREC	T FRO	M SOU	RCE	
Period of U	J <b>se:</b>	MAY 1 TO	DECEMB	ER 31			
*Place of U	se:						
<u>ID</u>	Acres Govt I	<u>.ot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1		S	SESENW	14	9S	15W	BEAVERHEAD
2			N2SW	14	9S	15W	BEAVERHEAD

Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 10/17/2011 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY WILLIAM F. JOHNSON.

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

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

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Water Right Number:	41A 94834	<b>-00</b> ST	ATEM	ENT OF	CLAII	М			
	Version:	1 ORIO	GINAL	RIGHT					
		Status:	AC	TIVE					
Owners:	HORSE PF 4275 BLOO DILLON, M	DDY DICK	RD	CK CO					
Priority Date:	JULY 15, 1	JULY 15, 1899							
Type of Historical Right	USE								
Purpose(use):	STOCK								
*Flow Rate:	CONSISTS DITCH SYS	OF STO STEM. TH	CK DR IE FLC	INKING W RAT	DIRE E IS L	EN DECREED BECAUSE THIS USE CTLY FROM THE SOURCE, OR FROM A IMITED TO THE MINIMUM AMOUNT AIN THIS PURPOSE.			
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.								
*Source Name:	ROBERTS	GULCH							
Source Type:	SURF	ACE WA	TER						
*Point of Diversion and N	Ieans of Div	ersion:							
<u>ID</u> <u>Govt I</u>		<u>Qtr Sec</u>	Sec	Twp	Rge	County			
Period of Diversion: JANUARY 1 TO DECEMBER 31									
Diversion Means: LIVESTOCK DIRECT FROM SOURCE									
	IANUARY	CK DIREC	T FRO	M SOU	14W	BEAVERHEAD			
Diversion Means: Period of Use:	JANUARY	1 TO DEC K DIREC	CEMBE T FRO	ER 31 M SOU	14W				
	IANUARY	1 TO DEC K DIREC	CEMBE T FRO	ER 31 M SOU	14W				
Period of Use:	JANUARY LIVESTOC JANUARY	1 TO DEC K DIREC	CEMBE T FRO	ER 31 M SOU	14W RCE				

#### Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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Water Right Number:	41A 94835-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	STOCKER RANCH LLC 3300 BLOODY DICK RD DILLON, MT 59725 9704
<b>Priority Date:</b>	APRIL 24, 1914
Type of Historical Right	: FILED
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 GRIMES CREEK
Source Type:	SURFACE WATER
*Point of Diversion and I	Means of Diversion:
<u>ID</u> <u>Govt</u>	
1	NWSE 22 9S 14W BEAVERHEAD
Diversion Means: 2	LIVESTOCK DIRECT FROM SOURCE E2SW 22 9S 14W BEAVERHEAD
	a: MAY 1 TO DECEMBER 1
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE
3	NWSW 22 9S 14W BEAVERHEAD
-	: MAY 1 TO DECEMBER 1
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE

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Period of Use: MAY 1 TO DECEMBER 1

\*Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1		NWSE	22	9S	14W	BEAVERHEAD
2		E2SW	22	9S	14W	BEAVERHEAD
3		NWSW	22	9S	14W	BEAVERHEAD

#### **Remarks:**

THE TYPE OF HISTORICAL RIGHT WAS AMENDED BY THE CLAIMANT ON 10/09/2012.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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Water Right Number:	41A 94837	7-00 ST	ATEM	ENT OF	CLAI	Μ
	Version:	1 ORI	GINAL	RIGHT		
		Status:	A	CTIVE		
Owners:	STOCKER 3300 BLOO DILLON, M	DDY DICH	K RD			
Priority Date:	JANUARY	25, 1917				
Type of Historical Right	:USE					
Purpose(use):	STOCK					
*Flow Rate:	CONSISTS DITCH SYS	S OF STO STEM. TI	CK DR	RINKING DW RAT	DIRE	EN DECREED BECAUSE THIS USE CTLY FROM THE SOURCE, OR FROM A IMITED TO THE MINIMUM AMOUNT AIN THIS PURPOSE.
*Volume:	STOCK WA	ATERING NIT. ANIN	i PURF /IAL UN	POSES /	AT THI ALL B	OF WATER CONSUMPTIVELY USED FOR E RATE OF 30 GALLONS PER DAY PER E BASED ON REASONABLE CARRYING THE AREA SERVICED BY THIS WATER
Source Name:	FROG CRI	EEK				
Source Type:	SURF	FACE WA	TER			
*Point of Diversion and N	<b>Means of Div</b>	ersion:				
$\frac{\mathbf{ID}}{1} \qquad \qquad \mathbf{Govt I}$	Lot	<u>Qtr Sec</u> N2NW	<u>Sec</u> 27	<u>Twp</u> 9S	<u>Rge</u> 14W	<u>County</u> BEAVERHEAD
Period of Diversion						
<b>Diversion Means:</b>	LIVESTO			M SOU	RCE	
Period of Use:	MAY 1 TO	DECEME	BER 1			
*Place of Use:						
*Place of Use: <u>ID Acres Govt I</u>	<u>_ot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>

#### Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94838-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799				
	STOCKER RANCH LLC 3300 BLOODY DICK RD DILLON, MT 59725 9704 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.				
<b>Priority Date:</b>	SEPTEMBER 4, 1897				
Type of Historical Right	t: USE				
Purpose(use):	STOCK				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.				
Source Name:	GRIMES CREEK				
Source Type:	SURFACE WATER				
Point of Diversion and Means of Diversion:					
<u>ID</u> <u>Govt</u>	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> 22 9S 14W BEAVERHEAD				
Period of Diversion	n: JANUARY 1 TO DECEMBER 31				
<b>Diversion Means:</b>	LIVESTOCK DIRECT FROM SOURCE				

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Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
2		SW	23	9S	14W	BEAVERHEAD
Period o	f Diversion: JANUAF	RY 1 TO DE	CEMBE	ER 31		
Diversio	n Means: LIVEST	OCK DIREC	T FRO	M SOU	RCE	
3			25	9S	14W	BEAVERHEAD
Period o	f Diversion: JANUAF	RY 1 TO DE	CEMBE	ER 31		
Diversio	n Means: LIVEST	OCK DIREC	T FRO	M SOU	RCE	
4			26	9S	14W	BEAVERHEAD
Period o	f Diversion: JANUAF	RY 1 TO DE	CEMBE	ER 31		
Diversio	n Means: LIVEST	OCK DIREC	T FRO	M SOU	RCE	
5			36	9S	14W	BEAVERHEAD
Period o	f Diversion: JANUAF	RY 1 TO DE	CEMBE	ER 31		
Diversio	n Means: LIVEST	OCK DIREC	T FRO	M SOU	RCE	
Period of Use	: JANUAF	RY 1 TO DEC	EMBE	R 31		

### Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<u>County</u>
1			22	9S	14W	BEAVERHEAD
2		SW	23	9S	14W	BEAVERHEAD
3			25	9S	14W	BEAVERHEAD
4			26	9S	14W	BEAVERHEAD
5			36	9S	14W	BEAVERHEAD

#### Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON BUREAU OF LAND MANAGEMENT LAND.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94838-00 Page 3 of 3

### **IMPORTANT NOTICE**

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

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

Water Right Number: Owners:	41A 94839-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE HORSE PRAIRIE LIVESTOCK CO						
Owners.	4275 BLOODY DICK RD DILLON, MT 59725 9799						
	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.						
Priority Date:	DECEMBER 30, 1882						
Type of Historical Righ	t: USE						
Purpose(use):	STOCK						
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.						
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.						
Source Name:	BLOODY DICK CREEK						
Source Type:	SURFACE WATER						
Point of Diversion and	Point of Diversion and Means of Diversion:						
$\underline{ID}_{1}$ <u>Govt</u>							
Period of Diversion	N2 31 9S 13W BEAVERHEAD n: JANUARY 1 TO DECEMBER 31						

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

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

.....

ID	<u>Govt I</u>	Lot	Qtr Sec	Sec	<u>Twp</u>	Rge	<u>County</u>
2			S2NE	36	9S	14W	BEAVERHEAD
Peri	od of Diversion	1 TO DE	CEMBE	ER 31			
Dive	ersion Means:	LIVESTO	CK DIREC	T FRO	M SOU	RCE	
Period of	Use:	JANUARY	1 TO DEC	CEMBE	R 31		
*Place of	Use:						
<u>ID</u>	<u>Acres</u> <u>Govt I</u>	Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<b>County</b>
1			N2	31	9S	13W	BEAVERHEAD
2			S2NE	36	9S	14W	BEAVERHEAD

Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 07/30/2012 REQUESTING TO AMEND THE POINT OF DIVERSION AND PLACE OF USE . THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL OWNERS OF DNRC RECORD.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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Water Right Number:	41A 94840	- <b>00</b> ST	ATEM	ENT OF	CLAI	Μ
	Version:	1 ORI	GINAL	RIGHT		
		Status:	AC	CTIVE		
Owners:	LEMHI FRO 4800 FALL RALEIGH,	S OF NE	USE R		315	
	STOCKER 3300 BLOC DILLON, M	DY DIC	( RD			
<b>Priority Date:</b>	AUGUST 2	6, 1879				
Type of Historical Right	:USE					
Purpose(use):	STOCK					
*Flow Rate:	CONSISTS DITCH SYS	OF STC STEM. T	OCK DR	INKING	DIRE	EN DECREED BECAUSE THIS USE CTLY FROM THE SOURCE, OR FROM A IMITED TO THE MINIMUM AMOUNT AIN THIS PURPOSE.
*Volume:	STOCK WA	ATERING	) PURP /IAL UN	OSES /	AT THI ALL B	OF WATER CONSUMPTIVELY USED FOR E RATE OF 30 GALLONS PER DAY PER E BASED ON REASONABLE CARRYING THE AREA SERVICED BY THIS WATER
Source Name:	COYOTE C	REEK				
Source Type:	SURF	ACE WA	TER			
Point of Diversion and I	Means of Div	ersion:				
<u>ID</u> <u>Govt 1</u>	Lot	<u>Qtr Sec</u>	Sec	Twp		County
1		W2	30	9S	13W	BEAVERHEAD
Period of Diversion Diversion Means:	LIVESTOC				RCE	
2	LIVEOTOC	N2	31			BEAVERHEAD
Period of Diversion	: JANUARY		-			
<b>Diversion Means:</b>	LIVESTOC	K DIREC	T FRO	M SOU	RCE	

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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>	Twp	Rge	<u>County</u>
3		SW	13	9S	14W	BEAVERHEAD
Period	of Diversion: JA	NUARY 1 TO DI	ECEMBI	ER 31		
Diversi	on Means: Ll	/ESTOCK DIRE	CT FRC	OM SOU	RCE	
4		E2	14	9S	14W	BEAVERHEAD
Period	of Diversion: JA	NUARY 1 TO DI	ECEMBI	ER 31		
Diversi	on Means: Ll	/ESTOCK DIRE	CT FRC	OM SOU	RCE	
5			24	9S	14W	BEAVERHEAD
Period	of Diversion: JA	NUARY 1 TO DI	ECEMBI	ER 31		
Diversi	on Means: Ll	/ESTOCK DIRE	CT FRC	OM SOU	RCE	
6		E2	25	9S	14W	BEAVERHEAD
Period	of Diversion: JA	NUARY 1 TO DI	ECEMBI	ER 31		
Diversi	on Means: Ll	/ESTOCK DIRE	CT FRC	OM SOU	RCE	
Period of Us	se: JA	NUARY 1 TO DE	CEMBE	ER 31		

#### \*Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1		W2	30	9S	13W	BEAVERHEAD
2		N2	31	9S	13W	BEAVERHEAD
3		SW	13	9S	14W	BEAVERHEAD
4		E2	14	9S	14W	BEAVERHEAD
5			24	9S	14W	BEAVERHEAD
6		E2	25	9S	14W	BEAVERHEAD

#### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/12/2012: POINT OF DIVERSION, PLACE OF USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94840-00 Page 3 of 3

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94841-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799
	WEEKS, R S & C A TRUST R STUART WEEKS TRUSTEE 10036 GRANDVIEW DR LA MESA, CA 91941 6838 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
<b>Priority Date:</b>	JANUARY 31, 1920
Type of Historical Righ	t: USE
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	KELLY CREEK
Source Type:	SURFACE WATER

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Point of Diversion and Means of Diversion:

ID	Govt Lot		<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1				36	9S	15W	BEAVERHEAD
Perio	d of Diversion	: APRIL 1 T	O DECEN	1BER 1			
Diver	sion Means:	LIVESTO	CK DIREC	T FRO	M SOU	RCE	
Period of U	U <b>se:</b>	APRIL 1 T	O DECEM	IBER 1			
Place of U	se:						
<u>ID</u>	<u>Acres</u> Govt I	Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<b>County</b>
1				36	9S	15W	BEAVERHEAD

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON STATE LAND.

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94842-0	O STA	TEMEN	t of c	CLAI	M
	Version: 1	ORIGII	NAL RIO	GHT		
	S	status:	ACTI	VE		
Owners:	HORSE PRA 4275 BLOOD DILLON, MT	Y DICK F	RD	< CO		
Priority Date:	JULY 3, 1900	)				
Type of Historical Right	t: USE					
Purpose(use):	STOCK					
*Flow Rate:	CONSISTS O DITCH SYST	OF STOCH	K DRINH E FLOW	KING E RATE	DIRE IS L	EN DECREED BECAUSE THIS USE CTLY FROM THE SOURCE, OR FROM A IMITED TO THE MINIMUM AMOUNT AIN THIS PURPOSE.
*Volume:	STOCK WAT	ERING P T. ANIMA	URPOS	SES AT S SHAI	THE	DF WATER CONSUMPTIVELY USED FOR E RATE OF 30 GALLONS PER DAY PER E BASED ON REASONABLE CARRYING THE AREA SERVICED BY THIS WATER
*Source Name:	SPRING, UN	NAMED	TRIBUT	TARY (	OF B	LOODY DICK CREEK
Source Type:	SURFA	CE WATE	ĒR			
*Point of Diversion and	Means of Diver	sion:				
ID Govt	NW	NENE	4	10S 1		<u>County</u> BEAVERHEAD
Period of Diversion	1: JANUARY 1 LIVESTOCK			•	<u>ог</u>	
Diversion Means: Period of Use:	JANUARY 1				CE	
	JANUARTI	TO DECE		51		
*Place of Use: ID Acres Govt 1	Lot C	tr Sec S	Sec I	ſwp	Rge	County
1		NENE				BEAVERHEAD
I	INVV		-	100 1	- <b>T</b> V V	

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

Period of Use:

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

## **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94843-00 STATEMENT OF CLAIM		
	Version: 1 ORIGINAL RIGHT		
	Status: ACTIVE		
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799		
Priority Date:	JUNE 15, 1899		
Type of Historical Right	:USE		
Purpose(use):	STOCK		
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.		
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.		
*Source Name:	BLOODY DICK CREEK		
Source Type:	SURFACE WATER		
*Point of Diversion and Means of Diversion:			
$\frac{\mathbf{ID}}{1}$ Govt 1	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWNESE 4 10S 14W BEAVERHEAD		
Period of Diversion	APRIL 1 TO DECEMBER 1		
Diversion Means: Ditch Name:	HEADGATE UPPER BLOODY DICK DITCH		

**APRIL 1 TO DECEMBER 1** 

### \*Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<u>County</u>
1			34	9S	14W	BEAVERHEAD
2		NWNW	3	10S	14W	BEAVERHEAD
3		NENE	4	10S	14W	BEAVERHEAD

### **Remarks:**

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 03/22/2012.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 BLOODY DICK CREEK WITH A PRIORITY DATE PREDATING CASE NO. 1292 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94845	- <b>00</b> ST	ATEM	ENT OF	CLAI	Μ
	Version:	1 ORI0	GINAL	RIGHT		
		Status:	AC	CTIVE		
Owners:	HORSE PR 4275 BLOO DILLON, M	DY DICK	RD	СК СО		
Priority Date:	DECEMBE	R 13, 190	5			
Type of Historical Right	t: USE					
Purpose(use):	STOCK					
*Flow Rate:	CONSISTS DITCH SYS	OF STO STEM. TH	CK DR HE FLC	INKING	DIRE	EN DECREED BECAUSE THIS USE CTLY FROM THE SOURCE, OR FROM A IMITED TO THE MINIMUM AMOUNT AIN THIS PURPOSE.
*Volume:	STOCK WA	ATERING	PURP	OSES /	AT TH	OF WATER CONSUMPTIVELY USED FOR E RATE OF 30 GALLONS PER DAY PER E BASED ON REASONABLE CARRYING THE AREA SERVICED BY THIS WATER
*Source Name:	BLOODY D	ICK CRE	EK			
Source Type:	SURF	ACE WA	TER			
*Point of Diversion and I	Means of Div	ersion:				
IDGovt1Period of Diversion	1: JANUARY	-	-	-	14W	<u>County</u> BEAVERHEAD
<b>Diversion Means:</b>	LIVESTOC				RCE	
Period of Use:	JANUARY	1 TO DEC	CEMBE	ER 31		
*Place of Use:						
ID <u>Acres Govt 1</u>	Lot	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	County
1		S2SE	34	9S	14W	BEAVERHEAD

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94846-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799
	WEEKS, R S & C A TRUST R STUART WEEKS TRUSTEE 10036 GRANDVIEW DR LA MESA, CA 91941 6838 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
<b>Priority Date:</b>	JANUARY 6, 1920
Type of Historical Righ	t: USE
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	BLOODY DICK CREEK
Source Type:	SURFACE WATER

#### Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt I</u>	Lot	<b>Qtr Sec</b>	<u>Sec</u>	Twp	Rge	<u>County</u>
1				31	9S	14W	BEAVERHEAD
Period	of Diversion	: APRIL 1 1	O DECEN	IBER 1			
Divers	ion Means:	LIVESTO	CK DIREC	T FRO	M SOU	RCE	
2			NE	36	9S	15W	BEAVERHEAD
Period	of Diversion	: APRIL 1 T	O DECEN	IBER 1			
Divers	ion Means:	LIVESTO	CK DIREC	T FRO	M SOU	RCE	
3			N2	5	10S	14W	BEAVERHEAD
Period	of Diversion	: APRIL 1 T	O DECEN	IBER 1			
Divers	ion Means:	LIVESTO	CK DIREC	T FRO	M SOU	RCE	
4		1	NENENE	6	10S	14W	BEAVERHEAD
Period	of Diversion	: APRIL 1 T	O DECEN	IBER 1			
Divers	ion Means:	LIVESTO	CK DIREC	T FRO	M SOU	RCE	
Period of U	se:	APRIL 1 T	O DECEM	BER 1			

#### \*Place of Use:

ID	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1			31	9S	14W	BEAVERHEAD
2		NE	36	9S	15W	BEAVERHEAD
3		N2	5	10S	14W	BEAVERHEAD
4		NENENE	6	10S	14W	BEAVERHEAD

#### Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94846-00 Page 3 of 3

## **IMPORTANT NOTICE**

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

Water Right Number:	<b>41A 94847-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	STOCKER RANCH LLC 3300 BLOODY DICK RD DILLON, MT 59725 9704
<b>Priority Date:</b>	AUGUST 13, 1914
Type of Historical Righ	t: USE
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
*Source Name:	STATION CREEK
Source Type:	SURFACE WATER
*Point of Diversion and	Means of Diversion:
<u>ID</u> <u>Govt</u>	Lot <u>Qtr Sec</u> Sec <u>Twp</u> <u>Rge</u> <u>County</u> 26 9S 14W BEAVERHEAD
<b>Diversion Means:</b> 2	LIVESTOCK DIRECT FROM SOURCE N2 27 9S 14W BEAVERHEAD
	n: MAY 1 TO DECEMBER 1
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE
Period of Use:	MAY 1 TO DECEMBER 1

\*Place of Use:

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1			26	9S	14W	BEAVERHEAD
2		N2	27	9S	14W	BEAVERHEAD

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON USDI BLM LAND.

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

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

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94848-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE			
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799			
<b>Priority Date:</b>	JANUARY 31, 1920			
Type of Historical Right	t: USE			
Purpose(use):	STOCK			
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.			
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 BLOODY DICK CREEK			
Source Type:	SURFACE WATER			
*Point of Diversion and	Means of Diversion:			
IDGovt1	LotQtr SecSecTwpRgeCountySW319S14WBEAVERHEAD			
	n: APRIL 1 TO DECEMBER 1			
Diversion Means: 2	LIVESTOCK DIRECT FROM SOURCE SESESE 36 9S 15W BEAVERHEAD			
	n: APRIL 1 TO DECEMBER 1			
<b>Diversion Means:</b>	LIVESTOCK DIRECT FROM SOURCE			
Period of Use:	APRIL 1 TO DECEMBER 1			

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\*Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<u>County</u>
1		SW	31	9S	14W	BEAVERHEAD
2		SESESE	36	9S	15W	BEAVERHEAD

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON STATE LAND.

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

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

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94849-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	STOCKER RANCH LLC 3300 BLOODY DICK RD DILLON, MT 59725 9704					
<b>*Priority Date:</b>	DECEMBER 31, 1951					
Type of Historical Righ	t: USE					
Purpose(use):	STOCK					
Flow Rate:	3.00 CFS					
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.					
Source Name:	GRIMES CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and Means of Diversion:						
<u>ID</u> <u>Govt</u>						
1	NWSWSW 23 9S 14W BEAVERHEAD					
Period of Diversion Diversion Means:	n: HEADGATE					
Diversion Means: Ditch Name:	GRIMES CREEK DITCH NO. 4					

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Reservoir: OFF	STREAM					
<u>Govt I</u>		<u>Qtr Sec</u> /SWNW	<u>Sec</u> 25	<u>Twp</u> 9S	<u><b>Rge</b></u> 14W	<u>County</u> BEAVERHEAD
Diversion to R	eservoir:	DIVERS	ION # 1			
Dam Height:		12.50	FEET			
Depth:		11.00	FEET			
Surface Area:		2.80	ACRES			
Capacity:		12.30	ACRE-F	EET		
	SEE THE RESERVC			RKSHI	EET IN	I THE CLAIM FILE FOR ADDITIONAL
Period of Use:	MAY 1 TO	DECEM	BER 1			
Place of Use:						
ID <u>Acres</u> Govt I	Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<u>County</u>
1		S2	23	9S	14W	BEAVERHEAD
2		NW	25	9S	14W	BEAVERHEAD
3		NE	26	9S	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 OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON USDI BLM LAND.

THE PERIOD OF DIVERSION FROM THE SOURCE INTO STORAGE CANNOT BE IDENTIFIED.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON GRIMES CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 1292 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94849-00 Page 3 of 3

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94850	<b>-00</b> ST	ATEM	ENT OF	CLAII	Μ
	Version:	1 ORI(	GINAL	RIGHT		
		Status:	AC	CTIVE		
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799					
Priority Date:	FEBRUARY 21, 1924					
Type of Historical Right	:USE					
Purpose(use):	STOCK					
*Flow Rate:	CONSISTS DITCH SYS	OF STO STEM. TH	CK DR HE FLC	INKING DW RAT	DIRE E IS L	EN DECREED BECAUSE THIS USE CTLY FROM THE SOURCE, OR FROM A IMITED TO THE MINIMUM AMOUNT AIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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	TRIBUT	ARY C	F BLO	D Y DC	NCK CREEK
Source Type:	SURF	ACE WA	TER			
*Point of Diversion and I	Means of Div	ersion:				
ID Govt 1 1 Period of Diversion		<u>Qtr Sec</u> W2	Sec 5	<u>Twp</u> 10S =R 31		<u>County</u> BEAVERHEAD
Diversion Means:	LIVESTOC	-	-	-	RCE	
Period of Use:	JANUARY					
*Place of Use:						
<u>ID</u> <u>Acres</u> <u>Govt I</u>	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1		W2	5	10S	14W	BEAVERHEAD

#### Remarks:

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 03/22/2012.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

## **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94851-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799					
Priority Date:	JANUARY 11, 1901					
Type of Historical Right	: USE					
Purpose(use):	STOCK					
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.					
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 BLOODY DICK CREEK					
Source Type:	SURFACE WATER					
	THE SOURCE IS WATER FLOWING FROM THE DAVIDSON SPRING.					
*Point of Diversion and Means of Diversion:						
<u>ID</u> <u>Govt l</u>						
1 Dericil of Dimension	N2 35 9S 14W BEAVERHEAD					
Diversion Means:	a: JANUARY 1 TO DECEMBER 31 LIVESTOCK DIRECT FROM SOURCE					
2	N2 36 9S 14W BEAVERHEAD					
Period of Diversion: JANUARY 1 TO DECEMBER 31						

Diversion Means: LIVESTOCK DIRECT FROM SOURCE

**JANUARY 1 TO DECEMBER 31** 

Period of Use:

Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1		N2	35	9S	14W	BEAVERHEAD
2		N2	36	9S	14W	BEAVERHEAD

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

## **IMPORTANT NOTICE**

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Water Right Number:	41A 94852-00       STATEMENT OF CLAIM         Version:       1 ORIGINAL RIGHT         Status:       ACTIVE
Owners:	EJ LEIZERMAN 717 MADISON AVE TOLEDO, OH 43604 6609
	ELIZABETH J LEIZERMAN 717 MADISON AVE TOLEDO, OH 43604 6609
Priority Date:	SEPTEMBER 10, 1970
Type of Historical Right	: USE
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
*Source Name:	JENSEN CREEK
Source Type:	SURFACE WATER
Point of Diversion and I	Means of Diversion:
$\frac{\mathbf{ID}}{1}$ Govt	SE 9 9S 14W BEAVERHEAD
	ILIVESTOCK DIRECT FROM SOURCE
Period of Use:	JUNE 1 TO NOVEMBER 1

Place of Use:

ID	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge County
1		SE	9	9S	14W BEAVERHEAD

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94853-00	STATEME	NT OF	CLAII	M
	Version: 1 O	RIGINAL F	RIGHT		
	Status	AC	TIVE		
Owners:	WEEKS, R S & C A TRUST R STUART WEEKS TRUSTEE 10036 GRANDVIEW DR LA MESA, CA 91941 6838				
<b>Priority Date:</b>	JANUARY 31, 192	20			
Type of Historical Righ	t: USE				
Purpose(use):	STOCK				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.				
*Source Name:	HAMILTON GUL	ЭН			
Source Type:	SURFACE V	VATER			
*Point of Diversion and	Means of Diversion:				
<u>ID</u> <u>Govt</u>	Lot Qtr Se E2N		<u>Twp</u> 9S		<u>County</u> BEAVERHEAD
<b>Period of Diversio</b>	n: APRIL 1 TO DEC		00	1011	DENTEND
<b>Diversion Means:</b>	LIVESTOCK DIR		N SOU	RCE	
Period of Use:	APRIL 1 TO DEC	EMBER 1			
*Place of Use:					
ID <u>Acres Govt</u>	Lot Qtr Se	<u>c</u> <u>Sec</u>	Twp	<u>Rge</u>	County
1	E2N	E 36	9S	15W	BEAVERHEAD

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

## **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94854-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799				
Priority Date:	JUNE 15, 1899				
Type of Historical Righ	t: USE				
Purpose(use):	STOCK				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.				
Source Name:	BLOODY DICK CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and Means of Diversion:					
<u>ID</u> <u>Govt</u>					
1	3 NENENW 3 10S 14W BEAVERHEAD				
	a: APRIL 1 TO DECEMBER 1				
Diversion Means: Ditch Name:	HEADGATE LOWER BLOODY DICK DITCH				

APRIL 1 TO DECEMBER 1

Period of Use:

#### \*Place of Use:

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1		SW	25	9S	14W	BEAVERHEAD
2		S2	26	9S	14W	BEAVERHEAD
3		E2	34	9S	14W	BEAVERHEAD
4		W2W2	35	9S	14W	BEAVERHEAD
5		N2N2	3	10S	14W	BEAVERHEAD

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/4/2011, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY LEMHI FRONTIER LLC.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/4/2011, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY STOCKER RANCH LLC.

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. USE OF THIS WATER MAY NOT BE FEASIBLE DURING WINTER MONTHS.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON BLOODY DICK CREEK WITH A PRIORITY DATE PREDATING CASE NO. 1292 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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Water Right Number:	41A 94855-00	D STATE	MENT OF	CLAI	Μ
	Version: 1	ORIGINA	AL RIGHT		
	St	tatus:	ACTIVE		
Owners:	HORSE PRAI 4275 BLOOD DILLON, MT 5	Y DICK RD	1	)	
Priority Date:	MARCH 19, 1	929			
Type of Historical Right	:USE				
Purpose(use):	STOCK				
*Flow Rate:	CONSISTS O DITCH SYSTE	F STOCK I			EN DECREED BECAUSE THIS USE CTLY FROM THE SOURCE, OR FROM A IMITED TO THE MINIMUM AMOUNT AIN THIS PURPOSE.
*Volume:	STOCK WATE ANIMAL UNIT	ERING PUI . ANIMAL	RPOSES / UNITS SH	AT TH IALL B	OF WATER CONSUMPTIVELY USED FOR E RATE OF 30 GALLONS PER DAY PER E BASED ON REASONABLE CARRYING THE AREA SERVICED BY THIS WATER
*Source Name:	UNNAMED T	RIBUTAR	OF BLO		DICK CREEK
Source Type:	SURFAC	E WATER	1		
*Point of Diversion and I	Means of Divers	ion:			
ID Govt 1	Lot Qt	t <u>r Sec</u> <u>Sec</u> NE 6			<u>County</u> BEAVERHEAD
Period of Diversion		-			
Diversion Means: LIVESTOCK DIRECT FROM SOURCE					
Period of Use:	APRIL 1 TO D	ECEMBER	<b>K</b> 1		
*Place of Use:					
ID Acres Govt I	<u>lot</u> Qi	tr Sec Sec			County
1		NE 6	5 10S	14W	BEAVERHEAD

#### Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94856-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE			
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799			
Priority Date:	MARCH 19, 1929			
Type of Historical Righ	t: USE			
Purpose(use):	STOCK			
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.			
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 HOLLOW CREEK			
Source Type:	SURFACE WATER			
Point of Diversion and Means of Diversion:				
ID Govt	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWNWSE 31 9S 14W BEAVERHEAD			
Period of Diversion: APRIL 1 TO DECEMBER 1				
Diversion Means: 2	LIVESTOCK DIRECT FROM SOURCE NESW 31 9S 14W BEAVERHEAD			
	n: APRIL 1 TO DECEMBER 1			
<b>Diversion Means:</b>	LIVESTOCK DIRECT FROM SOURCE			
Period of Use:	APRIL 1 TO DECEMBER 1			

#### Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	Rge	<u>County</u>
1		NWNWSE	31	9S	14W	BEAVERHEAD
2		NESW	31	9S	14W	BEAVERHEAD

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/22/2012: POINT OF DIVERSION, PLACE OF USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94857-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799			
Priority Date:	AUGUST 27, 1917			
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:	56.00			
*Source Name:	SPRING, UNNAMED TRIBUTARY OF BLOODY DICK CREEK			
Source Type:	SURFACE WATER			
	ALSO KNOWN AS CHRISTIE SPRINGS			
*Point of Diversion and Means of Diversion:				
<u>ID</u> <u>Govt I</u>	<u>ot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENWNE 35 9S 14W BEAVERHEAD			
Period of Diversion: APRIL 1 TO NOVEMBER 5				
<b>Diversion Means:</b>	HEADGATE			
2	SENWNE 35 9S 14W BEAVERHEAD			
Period of Diversion Diversion Means:	: APRIL 1 TO NOVEMBER 5 HEADGATE			
Period of Use:	APRIL 1 TO NOVEMBER 5			

Place	of	Use:
-------	----	------

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<u>County</u>
1	7.00	S2NENE	35	9S	14W	BEAVERHEAD
2	1.00	SENWNE	35	9S	14W	BEAVERHEAD
3	32.00	SENE	35	9S	14W	BEAVERHEAD
4	16.00	SWNW	36	9S	14W	BEAVERHEAD
Total:	56.00					

#### **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.

120591-00	120592-00	120593-00	120594-00	120595-00	120596-00	120597-00
120598-00	120599-00	120600-00	30064951	94789-00	94790-00	94791-00
94792-00	94793-00	94794-00	94795-00	94796-00	94800-00	94801-00
94802-00	94803-00	94804-00	94805-00	94857-00	94876-00	94877-00
94886-00	94887-00	94888-00	94890-00	94894-00	94895-00	94897-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/22/2012: PERIOD OF DIVERSION, PERIOD OF USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

## **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94858-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799
Priority Date:	APRIL 7, 1920
Type of Historical Right	t: USE
Purpose(use):	DOMESTIC
Flow Rate:	20.00 GPM
Volume:	1.50 AC-FT
Households:	1
Source Name:	GROUNDWATER
Source Type:	GROUNDWATER
Point of Diversion and I	Means of Diversion:
$\frac{\mathbf{ID}}{1} \qquad \qquad \mathbf{Govt}$	Lot <u>Qtr Sec Sec Twp Rge County</u> NENESE 35 9S 14W BEAVERHEAD
Period of Diversion Diversion Means:	a: JANUARY 1 TO DECEMBER 31 WELL
Period of Use:	JANUARY 1 TO DECEMBER 31
Place of Use:	
ID Acres Govt 1	Lot <u>Qtr Sec Sec Twp Rge County</u>
1	NENESE 35 9S 14W BEAVERHEAD

#### Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94859-00 STATEMENT OF CLAIM					
	Version: 1 (	ORIGIN/	AL RIGHT			
	Stat	us:	ACTIVE			
Owners:	STOCKER RANCH LLC 3300 BLOODY DICK RD DILLON, MT 59725 9704					
<b>Priority Date:</b>	SEPTEMBER 4,	1911				
Type of Historical Right	:USE					
*Purpose(use):	MULTIPLE DOM	IESTIC				
Flow Rate:	15.00 GPM					
Volume:	3.00 AC-FT					
Households:	2					
Source Name:	GROUNDWATE	R				
Source Type:	GROUNDV	VATER				
Point of Diversion and I	Means of Diversion	1:				
IDGovt I1	Lot <u>Qtr S</u> SWSE				<u>County</u> BEAVERHEAD	
	Period of Diversion: JANUARY 1 TO DECEMBER 31					
<b>Diversion Means:</b>	WELL					
Period of Use:	JANUARY 1 TO	DECEM	BER 31			
Place of Use:						
ID Acres Govt I	Lot Qtr S	Sec <u>Se</u>	<u>c Twp</u>	<u>Rge</u>	<u>County</u>	
1	SWSE	SE 2	5 9 <b>S</b>	14W	BEAVERHEAD	

#### Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 94860-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799					
<b>*Priority Date:</b>	DECEMBER 19, 1946					
*Type of Historical Right	t: FILED					
Purpose(use):	DOMESTIC					
Flow Rate:	5.00 GPM					
Volume:	1.50 AC-FT					
Households:	1					
Source Name:	GROUNDWATER					
Source Type:	GROUNDWATER					
Point of Diversion and I	Means of Diversion:					
$\frac{\mathbf{ID}}{1} \qquad \qquad \mathbf{Govt}$	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SESENE 35 9S 14W BEAVERHEAD					
	a: JANUARY 1 TO DECEMBER 31					
<b>Diversion Means:</b>	WELL					
Period of Use:	JANUARY 1 TO DECEMBER 31					
Place of Use:						
ID Acres Govt 1	<u>Lot Qtr Sec Sec Twp Rge County</u>					
1	SESENE 35 9S 14W BEAVERHEAD					

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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Water Right Number:	41A 94861-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140				
<b>Priority Date:</b>	DECEMBER 5, 1923				
Type of Historical Righ	t: USE				
Purpose(use):	STOCK				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 TRAIL CREEK				
Source Type:	SURFACE WATER				
	SOURCE IS COMPOSED OF ONE UNDEVELOPED SPRINGS WITHIN THE POINT OF DIVERSION LEGAL LAND DESCRIPTION.				
*Point of Diversion and Means of Diversion:					
$\frac{ID}{1}$ Govt	Lot <u>Qtr Sec Sec Twp Rge County</u> W2SE 11 10S 15W BEAVERHEAD				

1		W2SE	11	10S	15W	BEAVERHEAD
Period of Diversion	: JUNE 1 TC	NOVEMB	ER 30			
<b>Diversion Means:</b>	LIVESTOC	K DIRECT	FROM	SOU	RCE	
2		NWNE	14	10S	15W	BEAVERHEAD
Period of Diversion: JUNE 1 TO NOVEMBER 30						
<b>Diversion Means:</b>	LIVESTOC	K DIRECT	FROM	SOU	RCE	
Period of Use:	JUNE 1 TO	NOVEMB	ER 30			

Place of Use:

ID	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1		W2SE	11	10S	15W	BEAVERHEAD
2		NWNE	14	10S	15W	BEAVERHEAD

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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### **IMPORTANT NOTICE**

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Water Right Number:	41A 94862-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	ROBYN WINGO 3505 LEMHI PASS RD DILLON, MT 59725 8059				
	THOMAS WINGO 3505 LEMHI PASS RD DILLON, MT 59725 8059				
<b>Priority Date:</b>	DECEMBER 14, 1900				
Type of Historical Righ	t: USE				
Purpose(use):	STOCK				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and	Means of Diversion:				
<u>ID</u> <u>Govt</u>	Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u>				
1	SW 15 10S 14W BEAVERHEAD				
	n: JANUARY 1 TO DECEMBER 31				
<b>Diversion Means:</b>	LIVESTOCK DIRECT FROM SOURCE				
2	W2NW 22 10S 14W BEAVERHEAD				
	n: JANUARY 1 TO DECEMBER 31 LIVESTOCK DIRECT FROM SOURCE				
Diversion means.					

MAY 9, 2013 41A 94862-00 Page 2 of 2

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1		SW	15	10S	14W	BEAVERHEAD
2		W2NW	22	10S	14W	BEAVERHEAD

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94863-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140			
Priority Date:	JULY 1, 1886			
Type of Historical Righ	t: DECREED			
Purpose(use):	STOCK			
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.			
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.			
Source Name:	HORSE PRAIRIE CREEK			
Source Type:	SURFACE WATER			
*Point of Diversion and Means of Diversion:				
<u>ID</u> <u>Govt</u>				
1 Portion of Diversion	SWNESW 6 10S 13W BEAVERHEAD n: NOVEMBER 2 TO MARCH 31			
Diversion Means:	HEADGATE			

Period of Use: NOVEMBER 2 TO MARCH 31

### \*Place of Use:

<u>ID</u>	Acres Govt Lot	<b>Qtr Sec</b>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1		W2W2NE	6	10S	13W	BEAVERHEAD
2		SESENW	6	10S	13W	BEAVERHEAD
3		E2NESW	6	10S	13W	BEAVERHEAD

### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/30/2012: PERIOD OF DIVERSION, PERIOD OF USE, PRIORITY DATE, TYPE OF HISTORICAL RIGHT.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 84 MINER'S INCHES DECREED IN CASE NO. 1292, BEAVERHEAD COUNTY. 41A 94825-00, 41A94863-00, 41A 94864-00.

THE CLAIMS LISTED FOLLOWING THIS STATEMENT MAY BE A MULTIPLE USE OF THE SAME RIGHT. IT APPEARS THE PRIORITY DATE IS 07/01/1881 AND THE TYPE OF HISTORICAL RIGHT IS DECREED. 41A 94831-00, 41A 94863-00, 41A 94864-00

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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

**Period of Use:** 

## PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94864-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140					
Priority Date:	JULY 1, 1886					
Type of Historical Right	t: DECREED					
Purpose(use):	STOCK					
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.					
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.					
Source Name:	HORSE PRAIRIE CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and Means of Diversion:						
<u>ID</u> <u>Govt</u>						
-	NWSESW 6 10S 13W BEAVERHEAD N: NOVEMBER 2 TO MARCH 31					
Diversion Means:	HEADGATE					

NOVEMBER 2 TO MARCH 31

### \*Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1		NE	6	10S	13W	BEAVERHEAD
2		N2SE	6	10S	13W	BEAVERHEAD
3		E2NESW	6	10S	13W	BEAVERHEAD
4		NESESW	6	10S	13W	BEAVERHEAD

#### **Remarks:**

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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/30/2012: PERIOD OF DIVERSION, PERIOD OF USE, PRIORITY DATE, TYPE OF HISTORICAL RIGHT.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

### THE FOLLOWING 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 84 MINER'S INCHES DECREED IN CASE NO. 1292, BEAVERHEAD COUNTY. 41A 94825-00, 41A 94863-00, 41A 94864-00.

THE CLAIMS LISTED FOLLOWING THIS STATEMENT MAY BE A MULTIPLE USE OF THE SAME RIGHT. IT APPEARS THE PRIORITY DATE IS 07/01/1881 AND THE TYPE OF HISTORICAL RIGHT IS DECREED. 41A 94831-00, 41A 94836-00, 41A 94864-00.

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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 9486	5-00 ST	ATEME	ENT OF	CLAI	Μ
	Version:	1 ORIG	SINAL I	RIGHT		
		Status:	AC	TIVE		
Owners:	LEMHI FR 4800 FALL RALEIGH,	S OF NEL	JSE RE	D, STE	315	
Priority Date:	OCTOBER	30, 1888				
Type of Historical Right	: DECREED	I				
Purpose(use):	STOCK					
*Flow Rate:	CONSISTS DITCH SY	OF STOC	CK DRI IE FLO	INKING W RAT	DIRE E IS L	EN DECREED BECAUSE THIS USE CTLY FROM THE SOURCE, OR FROM A IMITED TO THE MINIMUM AMOUNT AIN THIS PURPOSE.
*Volume:	STOCK W	ATERING NIT. ANIM	PURP AL UN	OSES A ITS SH	AT THI ALL B	OF WATER CONSUMPTIVELY USED FOR E RATE OF 30 GALLONS PER DAY PER E BASED ON REASONABLE CARRYING THE AREA SERVICED BY THIS WATER
*Source Name:	TRAIL CR	EEK				
Source Type:	SURF	ACE WA	TER			
*Point of Diversion and M	Means of Div	ersion:				
<u>ID</u> <u>Govt I</u>		<u>Qtr Sec</u>	Sec	Twp		County
1 Period of Diversion	- •	VNWNE	1 14рсн	10S	14W	BEAVERHEAD
Diversion Means:	HEADGAT	-		01		
Period of Use:	NOVEMBE	R 2 TO M	ARCH	31		
*Place of Use:						
<u>ID</u> <u>Acres</u> <u>Govt I</u>	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	County
1	4 N2	NWNW	6	10S	13W	BEAVERHEAD

#### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/30/2012: PERIOD OF DIVERSION, PERIOD OF USE, PRIORITY DATE, TYPE OF HISTORICAL RIGHT.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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. 1292, BEAVERHEAD COUNTY. 41A 94865-00, 41A 95086-00.

THE CLAIMS LISTED FOLLOWING THIS STATEMENT MAY BE A MULTIPLE USE OF THE SAME RIGHT. THESE CLAIMS MAY NEED A MULTIPLE USE REMARK. 41A 94817-00, 41A 94865-00.

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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94866-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	JUNE 1, 1883
Type of Historical Righ	t: DECREED
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	HORSE PRAIRIE CREEK
Source Type:	SURFACE WATER
Point of Diversion and	Means of Diversion:
<u>ID</u> <u>Govt</u>	Lot <u>Qtr Sec Sec Twp Rge</u> County SWNENW 24 10S 14W BEAVERHEAD
	a: NOVEMBER 2 TO MARCH 31
Diversion Means:	HEADGATE
Period of Use:	NOVEMBER 2 TO MARCH 31

\*Place of Use:

<u>ID</u>	<u>Acres Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1		W2	6	10S	13W	BEAVERHEAD
2		E2SESE	1	10S	14W	BEAVERHEAD
3		E2NE	12	10S	14W	BEAVERHEAD
4		SE	12	10S	14W	BEAVERHEAD
5		E2	13	10S	14W	BEAVERHEAD
6		E2SW	13	10S	14W	BEAVERHEAD
7		NENW	24	10S	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.

94828-00 94866-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/30/2012: PERIOD OF DIVERSION, PERIOD OF USE, PRIORITY DATE, TYPE OF HISTORICAL RIGHT.

AUTHORIZATION TO CHANGE POINT OF DIVERSION COMPLETED 10/06/2000. 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. 41A 94820-00.

THE COMPLETE SET OF DOCUMENTATION, MAPS AND OTHER RELATED MATERIALS CAN BE OBTAINED BY REVIEWING FILE NO. 41A 94820-00.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

## THE FOLLOWING 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. 1292, BEAVERHEAD COUNTY. 41A 94828-00, 41A 94866-00, 41A 94867-00.

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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94866-00 Page 3 of 3

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94867-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140					
Priority Date:	JUNE 1, 1883					
*Type of Historical Right	: DECREED					
Purpose(use):	STOCK					
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.					
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.					
Source Name:	SHENON CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and	Means of Diversion:					
IDGovt1	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENESW 24 10S 14W BEAVERHEAD					
	: NOVEMBER 2 TO MARCH 31					
<b>Diversion Means:</b>	DITCH					
2	NWSESW 24 10S 14W BEAVERHEAD					
Period of Diversion Diversion Means:	: NOVEMBER 2 TO MARCH 31 DITCH					
Period of Use:	NOVEMBER 2 TO MARCH 31					
I thou of Use.						

### \*Place of Use:

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1		W2W2NW	18	10S	13W	BEAVERHEAD
2		E2E2	13	10S	14W	BEAVERHEAD
3		S2SWNE	24	10S	14W	BEAVERHEAD
4		NWSE	24	10S	14W	BEAVERHEAD
5		NESW	24	10S	14W	BEAVERHEAD

#### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/30/2012: PERIOD OF DIVERSION, PERIOD OF USE, PRIORITY DATE, TYPE OF RIGHT.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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. 1292, BEAVERHEAD COUNTY. 41A 94828-00, 41A 94866-00, 41A 94867-00.

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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94868-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140						
<b>*Priority Date:</b>	SEPTEMBER 30, 1960						
Type of Historical Rig	ht: FILED						
Purpose(use):	STOCK						
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.						
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 HORSE PRAIRIE CREEK						
Source Type:	SURFACE WATER						
	THE DIVERSION IS A DITCH BACKHOED THROUGH A SWAMP.						
*Point of Diversion and Means of Diversion:							
ID Gov	<u>rt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> E2NWNE 24 10S 14W BEAVERHEAD						
•	Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means: DRAIN DITCH							

**Diversion Means:** DRAIN DITCH

Period of Use: JANUARY 1 TO DECEMBER 31

\*Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1		W2NW	18	10S	13W	BEAVERHEAD
2		E2E2	13	10S	14W	BEAVERHEAD
3		E2NWNE	24	10S	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.

94868-00 94880-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/30/2012: TYPE OF RIGHT.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94869-	00 ST	ATEM	ENT OF	CLAII	Μ
	Version:	1 ORIG	SINAL	RIGHT		
		Status:	AC	CTIVE		
Owners:	LEMHI FRO 4800 FALLS RALEIGH, N	OF NEL	JSE RI	D, STE	315	
<b>Priority Date:</b>	AUGUST 1,	1883				
Type of Historical Right	:DECREED					
Purpose(use):	STOCK					
*Flow Rate:	CONSISTS DITCH SYS	OF STOC TEM. TH	CK DR IE FLC	INKING DW RAT	DIRE	EN DECREED BECAUSE THIS USE CTLY FROM THE SOURCE, OR FROM A .IMITED TO THE MINIMUM AMOUNT AIN THIS PURPOSE.
*Volume:	STOCK WA ANIMAL UN	TERING	PURP AL UN	OSES /	AT THI ALL B	OF WATER CONSUMPTIVELY USED FOR E RATE OF 30 GALLONS PER DAY PER E BASED ON REASONABLE CARRYING THE AREA SERVICED BY THIS WATER
*Source Name:	HORSE PR	AIRIE CF	REEK			
Source Type:	SURF	ACE WA	TER			
Point of Diversion and I	Means of Dive	rsion:				
<u>ID</u> <u>Govt I</u>		<u>Qtr Sec</u> VSENE	<u>Sec</u> 13	<u>Twp</u> 10S		<u>County</u> BEAVERHEAD
Period of Diversion Diversion Means:	_	R 2 TO M	-		1400	DEAVERNEAD
Period of Use:	NOVEMBER	R 2 TO M	ARCH	31		
*Place of Use:						
ID <u>Acres Govt I</u>	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1	SI	ESESE	12	10S		BEAVERHEAD
2		E2NE	13	10S	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.

94829-00 94869-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/24/2012: PERIOD OF DIVERSION, MEANS OF DIVERSION, MEANS OF CONVEYANCE, PERIOD OF USE, PRIORITY DATE, TYPE OF HISTORICAL RIGHT.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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. 1292, BEAVERHEAD COUNTY. 41A 94829-00, 41A 94869-00, 41A 94871-00.

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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94870-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140				
Priority Date:	JULY 1, 1886				
Type of Historical Righ	t: DECREED				
Purpose(use):	STOCK				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.				
Source Name:	HORSE PRAIRIE CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and Means of Diversion:					
<u>ID</u> <u>Govt</u>	Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> NENENE 13 10S 14W BEAVERHEAD				
*Period of Diversion	: NOVEMBER 2 TO MARCH 31				
<b>Diversion Means:</b>	HEADGATE				

Period of Use: NOVEMBER 2 TO MARCH 31

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1		E2	6	10S	13W	BEAVERHEAD
2		W2NE	7	10S	13W	BEAVERHEAD
3		W2	7	10S	13W	BEAVERHEAD
4	1	NWNWNW	18	10S	13W	BEAVERHEAD
5		NENENE	13	10S	14W	BEAVERHEAD

#### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/30/2012: PERIOD OF USE, PRIORITY DATE, TYPE OF HISTORICAL RIGHT.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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. 1292, BEAVERHEAD COUNTY. 41A 94826-00, 41A 94870-00.

THE CLAIMS LISTED FOLLOWING THIS STATEMENT MAY BE A MULTIPLE USE OF THE SAME RIGHT. IT APPEARS THE PRIORITY DATE IS 06/01/1876 AND THE TYPE OF HISTORICAL RIGHT IS DECREED . 41A 94830-00, 41A94870-00.

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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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Water Right Number:	41A 94871		ATEME		CLAII	Μ	
	Version:	2 ORI					
		Status:	AC	TIVE			
Owners:	LEMHI FRO 4800 FALL RALEIGH,	S OF NE	USE RD	, STE	315		
Priority Date:	AUGUST 1	, 1883					
Type of Historical Right	DECREED						
Purpose(use):	IRRIGATIC	N					
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:	661.00						
Source Name:	SHENON (	CREEK					
Source Type:	SURF	FACE WA	TER				
Point of Diversion and N	leans of Div	ersion:					
ID Govt I		<u>Qtr Sec</u>	<u>Sec</u>	Twp		County	
1		WSENE	13	10S	14W	BEAVERHEAD	
Period of Diversion			IBER 1				
<b>Diversion Means:</b>	HEADGAT	_	40	400			
2 Derived of Direction	-		13	105	1400	BEAVERHEAD	
Diversion Means:	Period of Diversion: APRIL 1 TO NOVEMBER 1 Diversion Means: HEADGATE						
3			24	105	14\//	BEAVERHEAD	
Period of Diversion				100	1 - 1 1 1		
Diversion Means:	HEADGAT						
Period of Use:							

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\*Place of Use:

<u>ID</u>	<u>Acres</u> G	ovt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1	5.00		E2NESE	31	9S	13W	BEAVERHEAD
2	45.00		S2SE	31	9S	13W	BEAVERHEAD
3	255.00		E2	6	10S	13W	BEAVERHEAD
4	2.00		SESENW	6	10S	13W	BEAVERHEAD
5	41.00		E2SW	6	10S	13W	BEAVERHEAD
6	26.00		NWNE	7	10S	13W	BEAVERHEAD
7	131.00		W2	7	10S	13W	BEAVERHEAD
8	10.00	1	NWNW	18	10S	13W	BEAVERHEAD
9	27.00		E2NE	13	10S	14W	BEAVERHEAD
10	51.00		SE	13	10S	14W	BEAVERHEAD
11	41.00		NE	24	10S	14W	BEAVERHEAD
12	3.00		E2SENW	24	10S	14W	BEAVERHEAD
13	5.00		NWSE	24	10S	14W	BEAVERHEAD
14	19.00		NESW	24	10S	14W	BEAVERHEAD
Total:	661.00						

#### 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.

215760-00	94819-00	94820-00	94821-00	94822-00	94823-00	94824-00
94825-00	94826-00	94827-00	94828-00	94829-00	94830-00	94831-00
94871-00	94872-00	94873-00	94874-00	94875-00	94878-00	94880-00
94881-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINTS OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/30/2012: PRIORITY DATE, TYPE OF HISTORICAL RIGHT.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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 06/27/2006 TO AMEND THE MAXIMUM ACRES AND PLACE OF USE "TO CORRECT ERROR IN ORIGINAL FILING". TWO AFFIDAVITS WERE SUBMITTED APRIL 1982 WITH THE ORIGINAL CLAIM FORM. ONE AFFIDAVIT BY ROBERT H. JAMES SPECIFIES HISTORIC USE FROM EARLIEST KNOWLEDGE IN 1945 THROUGH 1982 AS ABOUT 500 ACRES FOR THE PLACE OF USE, AND THE SECOND AFFIDAVIT FROM E. A. (BUS) BOAM SPECIFIES HISTORIC USE AS ABOUT 120 IRRIGATED ACRES WITH THIS WATER. THE AMENDMENT INCREASES THE PLACE OF USE FROM 576 TO 661 ACRES. 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. 1292, BEAVERHEAD COUNTY. 41A 94829-00, 41A 94869-00, 41A 94871-00.

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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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Water Right Number	.: 41A 94872-00 STATEMENT OF CLAIM
	Version: 2 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
*Priority Date:	MAY 31, 1928
Type of Historical Ri	ght: USE
Purpose(use):	IRRIGATION
Irrigation Ty	pe: 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 A	rea: 5 - LOW
Maximum Acres:	759.00
Source Name:	SPRING, UNNAMED TRIBUTARY OF HORSE PRAIRIE CREEK
Source Type:	SURFACE WATER
Point of Diversion a	nd Means of Diversion:
1	wt Lot         Qtr Sec         Sec         Twp         Rge         County           SESWSW         24         10S         14W         BEAVERHEAD
Period of Divers Diversion Mean	sion: APRIL 1 TO NOVEMBER 1 s: HEADGATE
Period of Use:	APRIL 1 TO NOVEMBER 1
*Place of Use: ID Acres Go	vt Lot Qtr Sec Sec Twp Rge County
<u>1 5.00</u>	E2NESE 31 9S 13W BEAVERHEAD
2 45.00	S2SE 31 9S 13W BEAVERHEAD
3 262.00	E2 6 10S 13W BEAVERHEAD

*Place of Use:							
<u>ID</u>	<u>Acres</u> G	ovt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
4	1.00		SESENW	6	10S	13W	BEAVERHEAD
5	39.00		E2SW	6	10S	13W	BEAVERHEAD
6	26.00		NWNE	7	10S	13W	BEAVERHEAD
7	131.00		W2	7	10S	13W	BEAVERHEAD
8	10.00	1	NWNW	18	10S	13W	BEAVERHEAD
9	70.00		E2	13	10S	14W	BEAVERHEAD
10	1.00		SESESW	13	10S	14W	BEAVERHEAD
11	169.00			24	10S	14W	BEAVERHEAD
Total:	759.00						

#### **Remarks:**

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215760-00	94819-00	94820-00	94821-00	94822-00	94823-00	94824-00
94825-00	94826-00	94827-00	94828-00	94829-00	94830-00	94831-00
94871-00	94872-00	94873-00	94874-00	94875-00	94878-00	94880-00
94881-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: MAXIMUM ACRES, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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Water Right Number:	41A 94873-00	STATEME	ENT OF	CLAI	М
	Version: 2 O	RIGINAL I	RIGHT		
	Statu	s: AC	TIVE		
Owners:	LEMHI FRONTIE 4800 FALLS OF N RALEIGH, NC 27	IEUSE RE	D, STE	315	
*Priority Date:	MAY 31, 1928				
Type of Historical Right	USE				
Purpose(use):	IRRIGATION				
Irrigation Type:	FLOOD				
Flow Rate:	2.00 CFS				
*Volume:	THE TOTAL VOL AMOUNT PUT TO				RIGHT SHALL NOT EXCEED THE ENEFICIAL USE.
Climatic Areas	5 - LOW				
Maximum Acres:	759.00				
Source Name:	SPRING, UNNAM	IED TRIB	UTARY	OF H	ORSE PRAIRIE CREEK
Source Name: Source Type:	SPRING, UNNAM SURFACE V		UTARY	′ OF H	ORSE PRAIRIE CREEK
	SURFACE V		UTARY	′ OF H	ORSE PRAIRIE CREEK
Source Type: *Point of Diversion and M <u>ID Govt I</u>	SURFACE V Aleans of Diversion: Lot Qtr Sec.	VATER e <u>c</u> <u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
Source Type: *Point of Diversion and M <u>ID</u> <u>Govt I</u> 1	SURFACE V Means of Diversion: Lot Qtr Se SESWSV	VATER e <u>c Sec</u> V 24	Twp	<u>Rge</u>	
Source Type: *Point of Diversion and M <u>ID</u> <u>Govt I</u> 1 Period of Diversion	SURFACE V Means of Diversion: Lot <u>Qtr So</u> SESWSV : APRIL 1 TO NOV	VATER e <u>c Sec</u> V 24	Twp	<u>Rge</u>	<u>County</u>
Source Type: *Point of Diversion and M <u>ID</u> <u>Govt I</u> 1 Period of Diversion Diversion Means:	SURFACE V Aleans of Diversion: <u>Lot</u> <u>Qtr Se</u> SESWSV : APRIL 1 TO NOV HEADGATE	VATER 2 <u>c Sec</u> V 24 EMBER 1	Twp	<u>Rge</u>	<u>County</u>
Source Type: *Point of Diversion and M <u>ID</u> <u>Govt I</u> 1 Period of Diversion Diversion Means: Period of Use:	SURFACE V Means of Diversion: Lot <u>Qtr So</u> SESWSV : APRIL 1 TO NOV	VATER 2 <u>c Sec</u> V 24 EMBER 1	Twp	<u>Rge</u>	<u>County</u>
Source Type: *Point of Diversion and M <u>ID</u> <u>Govt I</u> 1 Period of Diversion Diversion Means: Period of Use: *Place of Use:	SURFACE V Aleans of Diversion: <u>Lot</u> <u>Qtr So</u> SESWSV : APRIL 1 TO NOV HEADGATE APRIL 1 TO NOV	VATER 2 <u>ec</u> V 24 2EMBER 1 EMBER 1	<u>Twp</u> 10S	<u>Rge</u> 14W	<u>County</u> BEAVERHEAD
Source Type: *Point of Diversion and M <u>ID</u> <u>Govt I</u> 1 Period of Diversion Diversion Means: Period of Use: *Place of Use: <u>ID</u> <u>Acres Govt I</u>	SURFACE V Means of Diversion: Lot Qtr So SESWSV : APRIL 1 TO NOV HEADGATE APRIL 1 TO NOV Lot Qtr So	VATER <u>ec</u> <u>Sec</u> V 24 EMBER 1 EMBER 1 <u>ec Sec</u>	<u>Twp</u> 10S <u>Twp</u>	<u>Rge</u> 14W <u>Rge</u>	<u>County</u> BEAVERHEAD <u>County</u>
Source Type: *Point of Diversion and M <u>ID</u> <u>Govt I</u> 1 Period of Diversion Diversion Means: Period of Use: *Place of Use:	SURFACE V Aleans of Diversion: <u>Lot</u> <u>Qtr So</u> SESWSV : APRIL 1 TO NOV HEADGATE APRIL 1 TO NOV	VATER 22 V 24 EMBER 1 EMBER 1 EMBER 1 20 E <u>Sec</u> E 31	<u>Twp</u> 10S <u>Twp</u> 9S	<u>Rge</u> 14W <u>Rge</u> 13W	<u>County</u> BEAVERHEAD

*Place of Use:							
<u>ID</u>	<u>Acres</u> Ge	ovt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	County
4	1.00		SESENW	6	10S	13W	BEAVERHEAD
5	39.00		E2SW	6	10S	13W	BEAVERHEAD
6	26.00		NWNE	7	10S	13W	BEAVERHEAD
7	131.00		W2	7	10S	13W	BEAVERHEAD
8	10.00	1	NWNW	18	10S	13W	BEAVERHEAD
9	70.00		E2	13	10S	14W	BEAVERHEAD
10	1.00		SESESW	13	10S	14W	BEAVERHEAD
11	169.00			24	10S	14W	BEAVERHEAD
Total:	759.00						

#### **Remarks:**

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

215760-00	94819-00	94820-00	94821-00	94822-00	94823-00	94824-00
94825-00	94826-00	94827-00	94828-00	94829-00	94830-00	94831-00
94871-00	94872-00	94873-00	94874-00	94875-00	94878-00	94880-00
94881-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: MAXIMUM ACRES, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 06/27/2006 TO AMEND THE MAXIMUM ACRES AND PLACE OF USE "TO CORRECT ERROR IN ORIGINAL FILING". TWO AFFIDAVITS WERE SUBMITTED APRIL 1982 WITH THE ORIGINAL CLAIM FORM. ONE AFFIDAVIT BY ROBERT H. JAMES SPECIFIES HISTORIC USE FROM EARLIEST KNOWLEDGE IN 1945 THROUGH 1982 AS ABOUT 500 ACRES FOR THE PLACE OF USE, AND THE SECOND AFFIDAVIT FROM E. A. (BUS) BOAM SPECIFIES HISTORIC USE AS ABOUT 80 IRRIGATED ACRES WITH THIS WATER. THE AMENDMENT INCREASES THE PLACE OF USE FROM 652 TO 759 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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Water Right Number:	41A 94874-00       STATEMENT OF CLAIM         Version:       2 ORIGINAL RIGHT         Status:       ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
*Priority Date:	MAY 31, 1942
Type of Historical Right	:USE
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	2.73 CFS
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Areas	: 5 - LOW
Maximum Acres:	195.00
Source Name:	HORSE PRAIRIE CREEK
Source Type:	SURFACE WATER
Point of Diversion and N	Aleans of Diversion:
IDGovt I1Period of DiversionDiversion Means:	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWNESW 6 10S 13W BEAVERHEAD : APRIL 1 TO NOVEMBER 1 HEADGATE
2	NWSESW 6 10S 13W BEAVERHEAD
	: APRIL 1 TO NOVEMBER 1 HEADGATE
Period of Use:	APRIL 1 TO NOVEMBER 1

MAY 9, 2013 41A 94874-00 Page 2 of 2

\*Place of Use:

ID	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1	50.00	SE	31	9S	13W	BEAVERHEAD
2	145.00		6	10S	13W	BEAVERHEAD
Total:	195.00					

#### 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.

215760-00	94819-00	94820-00	94821-00	94822-00	94823-00	94824-00
94825-00	94826-00	94827-00	94828-00	94829-00	94830-00	94831-00
94871-00	94872-00	94873-00	94874-00	94875-00	94878-00	94880-00
94881-00						

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

THE ORIGINAL CLAIM FILING INCLUDED THREE AFFIDAVITS REGARDING HISTORICAL USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 WITH A PRIORITY DATE POSTDATING CASE NO. 1292 HORSE PRAIRIE CREEK 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94875-00 STATEMENT OF CLAIM			
	Version: 2 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140			
*Priority Date:	MAY 31, 1942			
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	: 5 - LOW			
Maximum Acres:	20.00			
Source Name:	HORSE PRAIRIE CREEK			
Source Type:	SURFACE WATER			
Point of Diversion and N	Means of Diversion:			
$\underline{ID}$ <u>Govt I</u>				
1 Deviad of Diversion	SWNENW 24 10S 14W BEAVERHEAD A PRIL 1 TO NOVEMBER 1			
	HEADGATE			
Period of Use:	APRIL 1 TO NOVEMBER 1			
*Place of Use:				
ID Acres Govt I	Lot Qtr Sec Sec Twp Rge County			
1 1.50	SWSWSE 13 10S 14W BEAVERHEAD			
2 1.50	SESESW 13 10S 14W BEAVERHEAD			
3 2.00	NWNWNE 24 10S 14W BEAVERHEAD			

#### \*Place of Use:

ID	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<u>County</u>
4	15.00	NENW	24	10S	14W	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.

215760-00	94819-00	94820-00	94821-00	94822-00	94823-00	94824-00	
94825-00	94826-00	94827-00	94828-00	94829-00	94830-00	94831-00	
94871-00	94872-00	94873-00	94874-00	94875-00	94878-00	94880-00	
94881-00							

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 HORSE PRAIRIE CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 1292 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94876-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799
<b>Priority Date:</b>	MAY 15, 1919
Type of Historical Righ	t: USE
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	1.38 CFS
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	a: 5 - LOW
Maximum Acres:	55.00
Source Name:	BLOODY DICK CREEK
Source Type:	SURFACE WATER
Point of Diversion and	Means of Diversion:
<u>ID</u> <u>Govt</u>	
•	NWNWSW 36 9S 14W BEAVERHEAD n: APRIL 1 TO NOVEMBER 5
Diversion Means:	HEADGATE
Period of Use:	APRIL 1 TO NOVEMBER 5
Place of Use:	Lat Otre Sag Sag Trum Dag Country
ID Acres Govt	
1 7.00	S2NENE 36 9S 14W BEAVERHEAD
2 2.00	SENWNE 36 9S 14W BEAVERHEAD
3 17.00	SENE 36 9S 14W BEAVERHEAD

#### Place of Use:

ID	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
4	29.00	SWNE	36	9S	14W	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.

120591-00	120592-00	120593-00	120594-00	120595-00	120596-00	120597-00
120598-00	120599-00	120600-00	30064951	94789-00	94790-00	94791-00
94792-00	94793-00	94794-00	94795-00	94796-00	94800-00	94801-00
94802-00	94803-00	94804-00	94805-00	94857-00	94876-00	94877-00
94886-00	94887-00	94888-00	94890-00	94894-00	94895-00	94897-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/22/2012: PERIOD OF DIVERSION, PERIOD OF USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 BLOODY DICK CREEK WITH A PRIORITY DATE PREDATING CASE NO. 1292 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94877-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799				
	STOCKER RANCH LLC 3300 BLOODY DICK RD DILLON, MT 59725 9704 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.				
Priority Date:	MAY 31, 1919				
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:	335.00				
Source Name:	BLOODY DICK CREEK				
Source Type:	SURFACE WATER				
Point of Diversion and I	Means of Diversion:				
ID Govt 1					
1	NENENW 3 10S 14W BEAVERHEAD				
	: APRIL 1 TO OCTOBER 5				
Diversion Means: Ditch Name:	HEADGATE LOWER BLOODY DICK DITCH				

Place	of	Use:
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<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	104.00	SE	25	9S	14W	BEAVERHEAD
2	122.00	SW	25	9S	14W	BEAVERHEAD
3	10.00	NESE	26	9S	14W	BEAVERHEAD
4	32.00	SESE	26	9S	14W	BEAVERHEAD
5	67.00	N2NE	36	9S	14W	BEAVERHEAD
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.

120591-00	120592-00	120593-00	120594-00	120595-00	120596-00	120597-00
120598-00	120599-00	120600-00	30064951	94789-00	94790-00	94791-00
94792-00	94793-00	94794-00	94795-00	94796-00	94800-00	94801-00
94802-00	94803-00	94804-00	94805-00	94857-00	94876-00	94877-00
94886-00	94887-00	94888-00	94890-00	94894-00	94895-00	94897-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/19/2012: PERIOD OF DIVERSION, PERIOD OF USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 BLOODY DICK CREEK WITH A PRIORITY DATE PREDATING CASE NO. 1292 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94877-00 Page 3 of 3

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94878-00 STATEMENT OF CLAIM		
	Version: 2 ORIGINAL RIGHT		
	Status: ACTIVE		
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140		
*Priority Date:	MAY 31, 1955		
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	: 5 - LOW		
Maximum Acres:	60.00		
Source Name:	HORSE PRAIRIE CREEK		
Source Type:	SURFACE WATER		
Point of Diversion and M	Aeans of Diversion:		
$\frac{ID}{1}$ Govt I	Lot <u>Qtr Sec Sec Twp Rge County</u> SENENE 13 10S 14W BEAVERHEAD		
Period of Diversion	: APRIL 1 TO NOVEMBER 1		
<b>Diversion Means:</b>	HEADGATE		
Ditch Name:	BRENNER HORSE PRAIRIE CREEK DITCH NO. 5		
Period of Use:	APRIL 1 TO NOVEMBER 1		

#### \*Place of Use:

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	32.00	W2W2	7	10S	13W	BEAVERHEAD
2	22.00	E2E2SE	12	10S	14W	BEAVERHEAD
3	6.00	E2NENE	13	10S	14W	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.

215760-00	94819-00	94820-00	94821-00	94822-00	94823-00	94824-00
94825-00	94826-00	94827-00	94828-00	94829-00	94830-00	94831-00
94871-00	94872-00	94873-00	94874-00	94875-00	94878-00	94880-00
94881-00						

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

THE ORIGINAL CLAIM FILING INCLUDES AN AFFIDAVIT ON HISTORICAL USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 HORSE PRAIRIE CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 1292 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94878-00 Page 3 of 3

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

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

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

Water Rig	ght Number:	41A 9487	9-00 ST	ATEME	NT OF	CLAII	М
		Version:	2 ORI	GINAL F	RIGHT		
			Status:	AC	TIVE		
Owners:		LEMHI FR 4800 FALL RALEIGH,	S OF NE	USE RE	), STE	315	
*Priority I	Date:	MAY 31, 1	MAY 31, 1942				
Type of H	listorical Right	:USE					
Purpose(	use):	IRRIGATIO	NC				
Ir	rigation Type:	FLOOD					
Flow Rat	e:	336.60 GP	M				
*Volume:		THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.					
	Climatic Area	: 5 - LOW					
Maximur	n Acres:	30.00					
Source N	ame:	SPRING C	REEK				
Sourc	e Type:	SUR	FACE WA	TER			
*Point of l	Diversion and <b>N</b>	Means of Div	version:				
<u>ID</u>	<u>Govt l</u>		<u>Qtr Sec</u>	Sec	<u>Twp</u>		County
1 Doui	od of Diversion	•		6 10ED 1	10S	13W	BEAVERHEAD
Period of		APRIL 1 T	. –	IBER 1			
*Place of U ID	Jse: Acres Govt I	ot	Qtr Sec	Soc	Twn	Dao	<u>County</u>
		<u>201</u>		Sec	<u>Twp</u>		
1 2	25.00 2.50	2 N\	S2S2 WNWNE	31 6	9S 10S		BEAVERHEAD BEAVERHEAD
2	2.50		ENENW	6			BEAVERHEAD
Ŭ		-		Ũ			

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
Total:	30.00					

#### 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.

215761-00	94811-00	94812-00	94813-00	94814-00	94815-00	94816-00
94817-00	94818-00	94879-00				

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 SPRING CREEK WITH A PRIORITY DATE POSTDATING CASE NO. 1292 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94880-00 STATEMENT OF CLAIM			
	Version: 2 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140			
*Priority Date:	SEPTEMBER 30, 1960			
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:	615.00			
*Source Name:	UNNAMED TRIBUTARY OF HORSE PRAIRIE CREEK			
Source Type:	SURFACE WATER			
	THE DIVERSION IS A DITCH BACKHOED THROUGH A SWAMP.			
*Point of Diversion and N	Means of Diversion:			
<u>ID</u> <u>Govt I</u>	Lot <u>Qtr Sec Sec Twp Rge County</u> E2NWNE 24 10S 14W BEAVERHEAD			
•	: APRIL 1 TO NOVEMBER 1			
Diversion Means:	DRAIN DITCH			
Period of Use:	APRIL 1 TO NOVEMBER 1			

MAY 9, 2013 41A 94880-00 Page 2 of 3

*Place of	U <b>se:</b>
<u>ID</u>	Acres Govt Lot

	Acres G	ovt Lot	Qtr Sec	Sec	<u>1 wp</u>	kge	County	
1	5.00		E2NESE	31	9S	13W	BEAVERHEAD	
2	45.00		S2SE	31	9S	13W	BEAVERHEAD	
3	261.00		E2	6	10S	13W	BEAVERHEAD	
4	1.00		SESENW	6	10S	13W	BEAVERHEAD	
5	38.00		E2SE	6	10S	13W	BEAVERHEAD	
6	26.00		NWNE	7	10S	13W	BEAVERHEAD	
7	131.00		W2	7	10S	13W	BEAVERHEAD	
8	10.00	1	NWNW	18	10S	13W	BEAVERHEAD	
9	77.00		E2	13	10S	14W	BEAVERHEAD	
10	21.00		N2NE	24	10S	14W	BEAVERHEAD	
Total:	615.00							

Otr Soo

See

Twn

Pgo County

#### Remarks:

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

215760-00	94819-00	94820-00	94821-00	94822-00	94823-00	94824-00
94825-00	94826-00	94827-00	94828-00	94829-00	94830-00	94831-00
94871-00	94872-00	94873-00	94874-00	94875-00	94878-00	94880-00
94881-00						

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.

94868-00 94880-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94881-00 STATEMENT OF CLAIM			
	Version: 2 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140			
*Priority Date:	NOVEMBER 30, 1951			
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:	712.00			
Source Name:	UNNAMED TRIBUTARY OF HORSE PRAIRIE CREEK			
Source Type:	SURFACE WATER			
	SOURCE IS DRAGLINE DITCH OUT OF SWAMP.			
*Point of Diversion and N	Aeans of Diversion:			
$\frac{\mathbf{ID}}{1} \qquad \qquad \mathbf{Govt I}$	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWNESW 24 10S 14W BEAVERHEAD			
Period of Diversion	: APRIL 1 TO NOVEMBER 1			
<b>Diversion Means:</b>	DRAIN DITCH			
Period of Use:	APRIL 1 TO NOVEMBER 1			

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*Place of	of Use:
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ID	<u>Acres</u> G	ovt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	5.00		E2NESE	31	9S	13W	BEAVERHEAD
2	45.00		SESE	31	9S	13W	BEAVERHEAD
3	262.00		E2	6	10S	13W	BEAVERHEAD
4	39.00		E2SW	6	10S	13W	BEAVERHEAD
5	1.00		SESESW	6	10S	13W	BEAVERHEAD
6	26.00		NWNE	7	10S	13W	BEAVERHEAD
7	131.00		W2	7	10S	13W	BEAVERHEAD
8	10.00	1	NWNW	18	10S	13W	BEAVERHEAD
9	70.00		E2	13	10S	14W	BEAVERHEAD
10	1.00		SESESW	13	10S	14W	BEAVERHEAD
11	122.00		N2	24	10S	14W	BEAVERHEAD
Total:	712.00						

#### 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.

215760-00	94819-00	94820-00	94821-00	94822-00	94823-00	94824-00
94825-00	94826-00	94827-00	94828-00	94829-00	94830-00	94831-00
94871-00	94872-00	94873-00	94874-00	94875-00	94878-00	94880-00
94881-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: MAXIMUM ACRES, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94881-00 Page 3 of 3

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94882-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT Status: ACTIVE					
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799					
<b>*Priority Date:</b>	JANUARY 31, 1885					
Type of Historical Right	: FILED					
*Purpose(use):	MULTIPLE DOMESTIC					
Flow Rate:	30.00 GPM					
Volume:	48.67 AC-FT					
Households:	3					
Maximum Acres:	1.00					
*Source Name:	GROUNDWATER					
Source Type:	GROUNDWATER					
Point of Diversion and	Means of Diversion:					
$\frac{\text{ID}}{1}$ Govt	Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> SENENE 13 10S 14W BEAVERHEAD					
Period of Diversion	I JANUARY 1 TO DECEMBER 31					
<b>Diversion Means:</b>	WELL					
Period of Use:	Period of Use: JANUARY 1 TO DECEMBER 31					
*Place of Use:						
ID <u>Acres Govt</u>	Lot <u>Qtr Sec Sec Twp Rge</u> County					
1 1.00	SENENE 13 10S 14W BEAVERHEAD					
<b>Total:</b> 1.00						

**Remarks:** 

Page 2 of 2

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STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/17/2011, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY OIO RANCH PARTNERSHIP.

THE CLAIMED VOLUME EXCEEDS THE 7 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

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

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

Water Right Number:	r Right Number: 41A 94883-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
		Status:	A	CTIVE			
Owners:	STOCKER RANCH LLC 3300 BLOODY DICK RD DILLON, MT 59725 9704						
<b>Priority Date:</b>	OCTOBER	13, 1898					
Type of Historical Right	: FILED						
*Purpose(use):	MULTIPLE	DOMEST	IC				
Flow Rate:	58.34 GPM	1					
Volume:	57.25 AC-F	-T					
Households:	2						
Maximum Acres:	2.00						
*Source Name:	COYOTE (	COYOTE CREEK					
Source Type:	SURF	ACE WA	TER				
*Point of Diversion and I	Means of Div	ersion:					
<u>ID</u> <u>Govt I</u>		<u>Qtr Sec</u>	Sec	Twp		County	
1		ESWSW	13	9S	14W	BEAVERHEAD	
Period of Diversion			IBER	15			
Diversion Means: Ditch Name:	HEADGAT ENGLE DI		1				
Period of Use: APRIL 1 TO NOVEMBER			IBER 1	5			
*Place of Use:							
ID Acres Govt I	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>	
1 2.00	S	WSESE	25	9S	14W	BEAVERHEAD	
2	S	ESWSE	25	9S	14W	BEAVERHEAD	
<b>Total:</b> 2.00							

#### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/9/2012: MEANS OF DIVERSION, MEANS OF CONVEYANCE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON COYOTE CREEK WITH A PRIORITY DATE PREDATING CASE NO. 1292 BEAVERHEAD COUNTY.

THE CLAIMED VOLUME EXCEEDS THE 8 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

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

Water Right Number: 41A 94884-00 STATEMENT OF CLAIM							
	Version: 1 ORIGINAL RIGHT Status: ACTIVE						
Owners:	Status: ACTIVE HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799						
Priority Date:	AUGUST 27, 1917						
Type of Historical Right	: FILED						
Purpose(use):	DOMESTIC						
Flow Rate:	35.00 GPM						
Volume:	14.00 AC-FT						
Households:	1						
Maximum Acres:	5.00						
Source Name:	BLOODY DICK CREEK						
Source Type:	SURFACE WATER						
*Point of Diversion and I	Means of Diversion:						
$\frac{\mathbf{ID}}{1} \qquad \qquad \mathbf{Govt I}$	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWNWSE 35 9S 14W BEAVERHEAD						
Period of Diversion Diversion Means:	a: APRIL 1 TO NOVEMBER 5 HEADGATE						
Period of Use:	APRIL 1 TO NOVEMBER 5						
*Place of Use:							
ID <u>Acres</u> Govt I	Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u>						
1	SESENE 35 9S 14W BEAVERHEAD						
2 5.00	NENESE 35 9S 14W BEAVERHEAD						
<b>Total:</b> 5.00							

**Remarks:** 

MAY 9, 2013

41A 94884-00 Page 2 of 2

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/22/2012: FLOW RATE, VOLUME, PERIOD OF USE, PERIOD OF DIVERSION.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 BLOODY DICK CREEK WITH A PRIORITY DATE PREDATING CASE NO. 1292 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

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

Water Right Number:	<b>41A 94885-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT				
Owners:	Status: ACTIVE STOCKER RANCH LLC 3300 BLOODY DICK RD DILLON, MT 59725 9704				
<b>Priority Date:</b>	SEPTEMBER 4, 1897				
Type of Historical Righ	t: FILED				
Purpose(use):	DOMESTIC				
Flow Rate:	112.20 GPM				
Volume:	114.50 AC-FT				
Households:	1				
Maximum Acres:	5.00				
Source Name:	GRIMES CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and	Means of Diversion:				
ID     Govt Lot     Qtr Sec     Sec     Twp     Rge     County       1     SENESE     22     9S     14W     BEAVERHEAD       Period of Diversion: APRIL 1 TO NOVEMBER 15       Diversion Means: DITCH					
Period of Use:	APRIL 1 TO NOVEMBER 15				
*Place of Use:					
ID Acres Govt	Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u>				
1 5.00	NWSE 26 9S 14W BEAVERHEAD				
<b>Total:</b> 5.00					

**Remarks:** 

Page 2 of 2

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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.

AS OF 05/29/2007 , THIS WATER RIGHT APPEARS TO BE OWNED BY ALBERT MEEDS , 3011 45TH AVE SW , SEATTLE , WA 98116-3310.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON GRIMES CREEK WITH A PRIORITY DATE PREDATING CASE NO. 1292 BEAVERHEAD COUNTY.

THE CLAIMED VOLUME EXCEEDS THE 14 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 113.05 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94886-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799
<b>Priority Date:</b>	JUNE 20, 1900
Type of Historical Righ	t: 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	a: 5 - LOW
Maximum Acres:	110.04
Source Name:	SPRING, UNNAMED TRIBUTARY OF BLOODY DICK CREEK
Source Type:	SURFACE WATER
Point of Diversion and	Means of Diversion:
IDGovt1Bariad of Divaria	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENENE 4 10S 14W BEAVERHEAD n: APRIL 1 TO NOVEMBER 5
Diversion Means:	DITCH
Period of Use:	APRIL 1 TO NOVEMBER 5
Place of Use:	
<u>ID</u> <u>Acres Govt</u>	Lot Qtr Sec Sec Twp Rge County
1 26.66	NESE 34 9S 14W BEAVERHEAD
2 30.04	NWSE 34 9S 14W BEAVERHEAD
3 9.60	SESE 34 9S 14W BEAVERHEAD

#### Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
4	34.84	SWSE	34	9S	14W	BEAVERHEAD
5	8.90	SESW	34	9S	14W	BEAVERHEAD
Total:	110.04					

#### Remarks:

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

120591-00	120592-00	120593-00	120594-00	120595-00	120596-00	120597-00
120598-00	120599-00	120600-00	30064951	94789-00	94790-00	94791-00
94792-00	94793-00	94794-00	94795-00	94796-00	94800-00	94801-00
94802-00	94803-00	94804-00	94805-00	94857-00	94876-00	94877-00
94886-00	94887-00	94888-00	94890-00	94894-00	94895-00	94897-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/22/2012: POINT OF DIVERSION, PERIOD OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, PERIOD OF USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

#### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94887-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799
<b>Priority Date:</b>	JANUARY 9, 1902
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:	69.56
*Source Name:	SPRING, UNNAMED TRIBUTARY OF BLOODY DICK CREEK
Source Type:	SURFACE WATER
Point of Diversion and N	Means of Diversion:
ID 1 Period of Diversion	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWSWNE 34 9S 14W BEAVERHEAD : APRIL 1 TO NOVEMBER 5
Diversion Means:	DITCH
Period of Use:	APRIL 1 TO NOVEMBER 5
Place of Use:	
ID <u>Acres</u> Govt I	Lot <u>Qtr Sec Sec Twp Rge County</u>
1 5.82	S2NENE 34 9S 14W BEAVERHEAD
2 39.22	SENE 34 9S 14W BEAVERHEAD
3 24.52	SWNE 34 9S 14W BEAVERHEAD

Place of	Use:				
ID	<u>Acres Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
Total:	69.56				

#### **Remarks:**

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

120591-00	120592-00	120593-00	120594-00	120595-00	120596-00	120597-00
120598-00	120599-00	120600-00	30064951	94789-00	94790-00	94791-00
94792-00	94793-00	94794-00	94795-00	94796-00	94800-00	94801-00
94802-00	94803-00	94804-00	94805-00	94857-00	94876-00	94877-00
94886-00	94887-00	94888-00	94890-00	94894-00	94895-00	94897-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/22/2012: POINT OF DIVERSION, PERIOD OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, PERIOD OF USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94888-00 STATEMENT OF CLAIM		
	Version: 1 ORIGINAL RIGHT		
	Status: ACTIVE		
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799		
Priority Date:	JANUARY 9, 1902		
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:	185.20		
*Source Name:	SPRING, UNNAMED TRIBUTARY OF BLOODY DICK CREEK		
Source Type:	SURFACE WATER		
	ALSO KNOWN AS DAVIDSON SPRINGS		
Point of Diversion and Means of Diversion:			
$\frac{ID}{1}$ Govt I			
•	SENENE 34 9S 14W BEAVERHEAD : APRIL 1 TO NOVEMBER 5		
Diversion Means:	DITCH		
Period of Use:	APRIL 1 TO NOVEMBER 5		

Place of Use:						
<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	24.66	NENE	35	9S	14W	BEAVERHEAD
2	36.83	NWNE	35	9S	14W	BEAVERHEAD
3	39.66	SENE	35	9S	14W	BEAVERHEAD
4	17.76	E2SWNE	35	9S	14W	BEAVERHEAD
5	39.36	NENW	35	9S	14W	BEAVERHEAD
6	26.93	NWNW	35	9S	14W	BEAVERHEAD
Total:	185.20					

#### **Remarks:**

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

120591-00	120592-00	120593-00	120594-00	120595-00	120596-00	120597-00
120598-00	120599-00	120600-00	30064951	94789-00	94790-00	94791-00
94792-00	94793-00	94794-00	94795-00	94796-00	94800-00	94801-00
94802-00	94803-00	94804-00	94805-00	94857-00	94876-00	94877-00
94886-00	94887-00	94888-00	94890-00	94894-00	94895-00	94897-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/22/2012: PERIOD OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, PERIOD OF USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94888-00 Page 3 of 3

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94889-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT Status: WITHDRAWN			
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799			
Priority Date:				
Enforceable Priority Date:				
Type of Historical Right:				
Purpose (use):	IRRIGATION			
Flow Rate:				
Volume:				
Source Name:	SPRING, UNNAMED TRIBUTARY OF BLOODY DICK 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 03/22/2012.

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

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94890-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799					
*Priority Date:	JUNE 15, 1899					
Type of Historical Righ	t: 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	a: 5 - LOW					
Maximum Acres:	109.52					
*Source Name:	ROBERTS GULCH					
Source Type:	SURFACE WATER					
Point of Diversion and Means of Diversion:						
$\frac{\mathbf{ID}}{1}$ Govt	NWSWSW 34 9S 14W BEAVERHEAD					
	n: APRIL 1 TO NOVEMBER 5					
Diversion Means:	DITCH APRIL 1 TO NOVEMBER 5					
Period of Use:	AFRIE I TO NOVEMBER 5					
Place of Use:						
ID <u>Acres Govt</u>						
1 40.56	NESE 34 9S 14W BEAVERHEAD					
2 10.12	W2NWSE 34 9S 14W BEAVERHEAD					
3 30.21	NWSW 34 9S 14W BEAVERHEAD					

#### Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	County
4	12.91	N2SESW	34	9S	14W	BEAVERHEAD
5	12.78	N2SWSW	34	9S	14W	BEAVERHEAD
6	2.94	NWSWSW	34	9S	14W	BEAVERHEAD
Total:	109.52					

#### Remarks:

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

120591-00	120592-00	120593-00	120594-00	120595-00	120596-00	120597-00
120598-00	120599-00	120600-00	30064951	94789-00	94790-00	94791-00
94792-00	94793-00	94794-00	94795-00	94796-00	94800-00	94801-00
94802-00	94803-00	94804-00	94805-00	94857-00	94876-00	94877-00
94886-00	94887-00	94888-00	94890-00	94894-00	94895-00	94897-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 03/22/2012: PERIOD OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, PERIOD OF USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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. THE PRIORITY DATE ON THE SUBMITTED NOTICE OF APPROPRIATION IS JULY 15, 1899.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94890-00 Page 3 of 3

## **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94891	- <b>00</b> STAT	EMENT OF CLAIM		
	Version:	1 ORIGIN	AL RIGHT		
		Status:	WITHDRAWN		
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799				
Priority Date:					
Enforceable Priority Date:					
Type of Historical Right:					
Purpose (use):	IRRIGATIC	<b>N</b>			
Flow Rate:					
Volume:					
Source Name:	ROBERTS	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 03/22/2012.

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94892-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE				
Owners:	STOCKER RANCH LLC 3300 BLOODY DICK RD DILLON, MT 59725 9704				
Priority Date:	APRIL 23, 1914				
Type of Historical Right	FILED				
Purpose(use):	IRRIGATION				
Irrigation Type:	FLOOD				
*Flow Rate:	6.17 CFS				
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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:	162.80				
Source Name:	GRIMES CREEK				
Source Type:	SURFACE WATER				
Point of Diversion and N	Aeans of Diversion:				
<u>ID</u> <u>Govt I</u>					
1	SWSENW 22 9S 14W BEAVERHEAD				
Period of Diversion Diversion Means:	: APRIL 1 TO NOVEMBER 15 DITCH				
2	NESWNW 22 9S 14W BEAVERHEAD				
	: APRIL 1 TO NOVEMBER 15				
Diversion Means:	DITCH				

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Point of Diversion and Means of Diversion:

$\frac{ID}{3}$	<u>(</u>	Govt Lot		<u>Sec</u> 22	<u>Twp</u> 9S	<u>Rge</u> 14W	<u>County</u> BEAVERHEAD
Pe	riod of Dive version Mea		NESWNW 1 TO NOVEM				
Period of Use: APRIL 1 TO NOVEMBER 15							
Place of Use:							
ID	<u>Acres</u> G	Fovt Lot	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<b>County</b>
1	38.40		S2NW	22	9S	14W	BEAVERHEAD
2	6.30		W2NWSE	22	9S	14W	BEAVERHEAD
3	0.30		NWSWSE	22	9S	14W	BEAVERHEAD
4	117.80		SW	22	9S	14W	BEAVERHEAD
Total:	162.80						

#### 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.

94892-00 94893-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/9/2012: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94892-00 Page 3 of 3

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94893-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE			
Owners:	STOCKER RANCH LLC 3300 BLOODY DICK RD DILLON, MT 59725 9704			
Priority Date:	JUNE 25, 1912			
Type of Historical Right	FILED			
Purpose(use):	IRRIGATION			
Irrigation Type:	FLOOD			
*Flow Rate:	6.52 CFS			
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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:	172.20			
Source Name:	GRIMES CREEK			
Source Type:	SURFACE WATER			
Point of Diversion and N	Aeans of Diversion:			
<u>ID</u> <u>Govt I</u>				
1	SWSENW 22 9S 14W BEAVERHEAD			
Period of Diversion Diversion Means:	: APRIL 1 TO NOVEMBER 15 DITCH			
2	NESWNW 22 9S 14W BEAVERHEAD			
	: APRIL 1 TO NOVEMBER 15			
<b>Diversion Means:</b>	DITCH			

MAY 9, 2013 41A 94893-00 Page 2 of 3

Point of Diversion and Means of Diversion:

<u>ID</u> 3	<u>(</u>	Govt Lot		<u>Sec</u> 22	<u>Twp</u> 9S	<u>Rge</u> 14W	<u>County</u> BEAVERHEAD
	riod of Dive version Mea		. 1 TO NOVEN H	/BER <sup>·</sup>	15		
Period	of Use:	APRIL	1 TO NOVEN	IBER 1	5		
Place of Use:							
ID	<u>Acres</u> G	ovt Lot	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<b>County</b>
1	40.80		S2NW	22	9S	14W	BEAVERHEAD
2	11.30		W2NWSE	22	9S	14W	BEAVERHEAD
3	0.30		NWSWSE	22	9S	14W	BEAVERHEAD
4	119.80		SW	22	9S	14W	BEAVERHEAD
Total:	172.20						

#### 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.

94892-00 94893-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/9/2012: POINT OF DIVERSION, MEANS OF CONVEYANCE, PLACE OF USE, MAXIMUM ACRES.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94893-00 Page 3 of 3

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94894-00 STATEMENT OF CLAIM	
	Version: 1 ORIGINAL RIGHT	
	Status: ACTIVE	
Owners:	STOCKER RANCH LLC 3300 BLOODY DICK RD DILLON, MT 59725 9704	
<b>Priority Date:</b>	MAY 9, 1914	
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 NO AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.	OT EXCEED THE
Climatic Area	: 5 - LOW	
Maximum Acres:	201.70	
Source Name:	FROG CREEK	
Source Type:	SURFACE WATER	
Point of Diversion and I	Means of Diversion:	
<u>ID</u> <u>Govt I</u>		
1 Dominal of Dimonsion	NWSENW 26 9S 14W BEAVERHEAD APRIL 1 TO NOVEMBER 15	
Diversion Means:	DITCH	
Period of Use:	APRIL 1 TO NOVEMBER 15	
Place of Use:		
<u>ID</u> <u>Acres Govt I</u>	Lot <u>Qtr Sec Sec Twp Rge County</u>	
1 0.60	SWSENE 26 9S 14W BEAVERHEAD	
2 36.00	W2NE 26 9S 14W BEAVERHEAD	
3 33.50	E2NW 26 9S 14W BEAVERHEAD	

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	County
4	89.60	SE	26	9S	14W	BEAVERHEAD
5	41.20	E2SW	26	9S	14W	BEAVERHEAD
6	0.80	SESWSW	26	9S	14W	BEAVERHEAD
Total:	201.70					

#### Remarks:

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

120591-00	120592-00	120593-00	120594-00	120595-00	120596-00	120597-00
120598-00	120599-00	120600-00	30064951	94789-00	94790-00	94791-00
94792-00	94793-00	94794-00	94795-00	94796-00	94800-00	94801-00
94802-00	94803-00	94804-00	94805-00	94857-00	94876-00	94877-00
94886-00	94887-00	94888-00	94890-00	94894-00	94895-00	94897-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/09/2012: SOURCE NAME, POINT OF DIVERSION, MEANS OF CONVEYANCE, PLACE OF USE, TYPE OF HISTORICAL RIGHT, MAXIMUM ACRES.

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 11/02/2012.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS 04/25 TO 10/05.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94894-00 Page 3 of 3

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94895-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	STOCKER RANCH LLC 3300 BLOODY DICK RD DILLON, MT 59725 9704
Priority Date:	MAY 9, 1914
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:	231.90
Source Name:	GRIMES CREEK
Source Type:	SURFACE WATER
Point of Diversion and M	Means of Diversion:
$\underline{ID}_{1}$ <u>Govt I</u>	Lot <u>Qtr Sec Sec Twp Rge</u> County SENESE 22 9S 14W BEAVERHEAD
Period of Diversion	: APRIL 1 TO NOVEMBER 15
Diversion Means:	HEADGATE
Ditch Name:	GRIMES CREEK DITCH NO. 1
Period of Use:	APRIL 1 TO NOVEMBER 15

Place of	f Use:					
ID	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	0.70	SENESE	22	9S	14W	BEAVERHEAD
2	2.00	SWNWSW	23	9S	14W	BEAVERHEAD
3	14.20	S2SW	23	9S	14W	BEAVERHEAD
4	0.50	SWSENE	26	9S	14W	BEAVERHEAD
5	37.20	W2NE	26	9S	14W	BEAVERHEAD
6	33.80	E2NW	26	9S	14W	BEAVERHEAD
7	89.10	SE	26	9S	14W	BEAVERHEAD
8	54.40	E2SW	26	9S	14W	BEAVERHEAD
Total:	231.90					

#### **Remarks:**

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

120591-00	120592-00	120593-00	120594-00	120595-00	120596-00	120597-00
120598-00	120599-00	120600-00	30064951	94789-00	94790-00	94791-00
94792-00	94793-00	94794-00	94795-00	94796-00	94800-00	94801-00
94802-00	94803-00	94804-00	94805-00	94857-00	94876-00	94877-00
94886-00	94887-00	94888-00	94890-00	94894-00	94895-00	94897-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/9/2012: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON BLM LAND.

THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS 04/25 TO 10/05.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94896-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	HORSE PRAIRIE LIVESTOCK CO 4275 BLOODY DICK RD DILLON, MT 59725 9799					
	WEEKS, R S & C A TRUST R STUART WEEKS TRUSTEE 10036 GRANDVIEW DR LA MESA, CA 91941 6838 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.					
Priority Date:	APRIL 25, 1910					
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:	90.00					
Source Name:	BLOODY DICK CREEK					
Source Type:	SURFACE WATER					
Point of Diversion and I	Point of Diversion and Means of Diversion:					
ID Govt 1						
1	SENESE 26 9S 15W BEAVERHEAD					
	: APRIL 1 TO NOVEMBER 15					
<b>Diversion Means:</b>	HEADGATE					

MAY 9, 2013 41A 94896-00

Period of Use:

#### \*Place of Use:

<u>ID</u>	<u>Acres</u> Ge	ovt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	9.00	4	SWNW	31	9S	14W	BEAVERHEAD
2	6.00	7	S2NWSE	31	9S	14W	BEAVERHEAD
3	4.00	8	W2SESE	31	9S	14W	BEAVERHEAD
4	10.00		N2SWSE	31	9S	14W	BEAVERHEAD
5	14.00		NESW	31	9S	14W	BEAVERHEAD
6	2.00		NENWSW	31	9S	14W	BEAVERHEAD
7	2.00		SWNENE	36	9S	15W	BEAVERHEAD
8	11.00		S2NWNE	36	9S	15W	BEAVERHEAD
9	20.00		SENE	36	9S	15W	BEAVERHEAD
10	12.00		N2SWNE	36	9S	15W	BEAVERHEAD
Total:	90.00						

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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. ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 01/26/2012, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY LEMHI FRONTIER LLC.

THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 25 TO OCTOBER 05.

USDA AERIAL PHOTOGRAPH NO(S). 979-83 , DATED 09/20/1979 , APPEARS TO INDICATE 45.57 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDI AERIAL PHOTOGRAPH NO. CXM-7B-32 , DATED 08/14/1942 , APPEARS TO INDICATE 45.57 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

0N 03/22/2012 CLAIMANT HORSE PRAIRIE LIVESTOCK INC SUBMITTED A REQUEST TO WITHDRAW THAT PORTION OF THE CLAIMED PLACE OF USE LOCATED IN SECTION 31, T09S, R14W. THE SUBMITTED WITHDRAWAL STATED THAT THE CLAIMED PLACE OF USE IN SECTION 31, T09S, R14W WAS NOT HISTORICALLY IRRIGATED.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON BLOODY DICK CREEK WITH A PRIORITY DATE PREDATING CASE NO. 1292 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94897-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	STOCKER RANCH LLC 3300 BLOODY DICK RD DILLON, MT 59725 9704
Priority Date:	NOVEMBER 10, 1911
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:	407.60
Source Name:	SPRING CREEK
Source Type:	SURFACE WATER
*Point of Diversion and N	Means of Diversion:
ID Govt I	Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u>
1	NENWNE 23 9S 14W BEAVERHEAD
	: APRIL 1 TO NOVEMBER 15
<b>Diversion Means:</b>	HEADGATE
2	NESENE 23 9S 14W BEAVERHEAD
Period of Diversion	: APRIL 1 TO NOVEMBER 15
<b>Diversion Means:</b>	HEADGATE
3	NESENE 23 9S 14W BEAVERHEAD
Period of Diversion	: APRIL 1 TO NOVEMBER 15
<b>Diversion Means:</b>	HEADGATE

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\*Point of Diversion and Means of Diversion:

<u>ID</u> <u>Gov</u>	Govt Lot		<u>Sec</u>	Twp	Rge	County
4		SWSWNW	24	9S	14W	BEAVERHEAD
Period of Diversion: APRIL 1 TO NOVEMBER 15						
<b>Diversion Means:</b>	HEAD	GATE				
Period of Use:	APRIL	1 TO NOVEM	IBER 1	5		

Place of Use:

ID	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	17.30	E2NE	23	9S	14W	BEAVERHEAD
2	0.30	NENWNE	23	9S	14W	BEAVERHEAD
3	10.00	NESE	23	9S	14W	BEAVERHEAD
4	2.00	SENW	24	9S	14W	BEAVERHEAD
5	34.80	SWNW	24	9S	14W	BEAVERHEAD
6	1.10	SWSE	24	9S	14W	BEAVERHEAD
7	113.90	SW	24	9S	14W	BEAVERHEAD
8	16.30	NWNE	25	9S	14W	BEAVERHEAD
9	0.50	SENE	25	9S	14W	BEAVERHEAD
10	34.60	SWNE	25	9S	14W	BEAVERHEAD
11	23.40	NENW	25	9S	14W	BEAVERHEAD
12	1.70	SENW	25	9S	14W	BEAVERHEAD
13	121.90	SE	25	9S	14W	BEAVERHEAD
14	29.80	E2SW	25	9S	14W	BEAVERHEAD
Total:	407.60					

#### **Remarks:**

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

120591-00	120592-00	120593-00	120594-00	120595-00	120596-00	120597-00
120598-00	120599-00	120600-00	30064951	94789-00	94790-00	94791-00
94792-00	94793-00	94794-00	94795-00	94796-00	94800-00	94801-00
94802-00	94803-00	94804-00	94805-00	94857-00	94876-00	94877-00
94886-00	94887-00	94888-00	94890-00	94894-00	94895-00	94897-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/9/2012: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS 04/25 TO 10/05.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON SPRING CREEK WITH A PRIORITY DATE PREDATING CASE NO. 1668 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94898-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724				
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724				
<b>Priority Date:</b>	JANUARY 5, 1917				
Type of Historical Right	: USE				
Purpose(use):	STOCK				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 CEDAR CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and Means of Diversion:					
<u>ID</u> <u>Govt</u>					
1	W2E2 14 9S 11W BEAVERHEAD				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				

Period of Use: MAY 1 TO JANUARY 1

#### \*Place of Use:

ID	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge County
1		W2E2	14	9S	11W BEAVERHEAD

### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. THE PLACE OF USE APPEARS TO BE ON USDI BUREAU OF LAND MANAGEMENT LAND.

A REQUEST TO WITHDRAW SUBMITTED 10/17/2012 BY THE DNRC OWNERS OF RECORD WAS NOT IMPLEMENTED. THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO NO LONGER BE OWNED BY THE DNRC OWNERS OF RECORD.

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

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

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94899-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724					
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724					
<b>Priority Date:</b>	JANUARY 5, 1917					
Type of Historical Righ	t: USE					
Purpose(use):	STOCK					
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.					
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 GULCH					
Source Type:	SURFACE WATER					
	THE SOURCE INCLUDES UNNAMED TRIBUTARIES OF SPRING GULCH.					
*Point of Diversion and Means of Diversion:						
IDGovt1	LotQtr SecSecTwpRgeCountyW2149S11WBEAVERHEAD					
Period of Diversion: MAY 1 TO JANUARY 1						
Diversion Means: LIVESTOCK DIRECT FROM SOURCE						

#### \*Point of Diversion and Means of Diversion:

ID	<u>Govt I</u>	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
2			NESENE	15	9S	11W	BEAVERHEAD
Period	of Diversion	: MAY 1	TO JANUAR`	Y 1			
Diversi	ion Means:	LIVEST	OCK DIREC	T FRC	DM SOU	RCE	
3			SWNWNE	23	9S	11W	BEAVERHEAD
Period	of Diversion	: MAY 1	TO JANUAR`	Y 1			
Diversi	ion Means:	LIVEST	OCK DIREC	T FRC	DM SOU	RCE	
4			E2NW	23	9S	11W	BEAVERHEAD
Period	of Diversion	: MAY 1	TO JANUAR`	Y 1			
Diversi	ion Means:	LIVEST	OCK DIREC	T FRC	DM SOU	RCE	
Period of U	se:	MAY 1	TO JANUAR)	(1			
*Diago of Ug							

\*Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	Rge	<b>County</b>
1		W2	14	9S	11W	BEAVERHEAD
2		NESENE	15	9S	11W	BEAVERHEAD
3		SWNWNE	23	9S	11W	BEAVERHEAD
4		E2NW	23	9S	11W	BEAVERHEAD

#### Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

IMPLIED CLAIM NO. 41A 164799-00 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN 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.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. THE PLACE OF USE APPEARS TO BE ON USDI BLM LAND.

A REQUEST TO WITHDRAW SUBMITTED 10/17/2012 BY THE DNRC OWNERS OF RECORD WAS NOT IMPLEMENTED. THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO NO LONGER BE OWNED BY THE DNRC OWNERS OF RECORD.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94899-00 Page 3 of 3

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94900-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724				
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724				
Priority Date:	JANUARY 5, 1917				
Type of Historical Righ	t: USE				
Purpose(use):	STOCK				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 GULCH				
Source Type:	SURFACE WATER				
*Source Name:	CEDAR CREEK				
Source Type:	SURFACE WATER				
	THE SOURCE INCLUDES UNNAMED TRIBUTARIES OF CEDAR CREEK.				

MAY 9, 2013 41A 94900-00 Page 2 of 3

#### \*Point of Diversion and Means of Diversion:

ID	<u>Govt I</u>	Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1			SE	14	9S	11W	BEAVERHEAD
*Source l	Name:	CEDAR C	REEK				
Period of	of Diversion	: MAY 1 TC	) JANUAR	Y 1			
Diversio	on Means:	LIVESTO	CK DIREC	T FRO	M SOU	RCE	
2			NWNE	23	9S	11W	BEAVERHEAD
*Source I	Name:	SPRING (	GULCH				
Period o	of Diversion	: MAY 1 TC	JANUAR	Y 1			
Diversio	on Means:	LIVESTO	CK DIREC	T FRO	M SOU	RCE	
3			SENW	23	9S	11W	BEAVERHEAD
*Source I	Name:	SPRING (	GULCH				
Period o	of Diversion	: MAY 1 TC	JANUAR	Y 1			
Diversio	on Means:	LIVESTO	CK DIREC	T FRO	M SOU	RCE	
Period of Us	e:	MAY 1 TO	JANUAR	(1			

#### \*Place of Use:

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1		SE	14	9S	11W	BEAVERHEAD
2		NWNE	23	9S	11W	BEAVERHEAD
3		SENW	23	9S	11W	BEAVERHEAD

#### Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

IMPLIED CLAIM NO. 41A 164801-00 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN 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.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. THE PLACE OF USE APPEARS TO BE ON USDI BUREAU OF LAND MANAGEMENT LAND.

THIS CLAIM APPEARS TO BE CLAIMING TWO SEPARATE SOURCES OF WATER. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

A REQUEST TO WITHDRAW SUBMITTED 10/17/2012 BY THE DNRC OWNERS OF RECORD WAS NOT IMPLEMENTED. THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO NO LONGER BE OWNED BY THE DNRC OWNERS OF RECORD.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94901-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724				
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724				
<b>Priority Date:</b>	JANUARY 5, 1917				
Type of Historical Right	t: USE				
Purpose(use):	STOCK				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.				
*Source Name:	CEDAR CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and	Means of Diversion:				
<u>ID</u> <u>Govt</u>					
1	NESE 14 9S 11W BEAVERHEAD				
Period of Diversion Diversion Means:	n: MAY 1 TO JANUARY 1 LIVESTOCK DIRECT FROM SOURCE				
Period of Use:	MAY 1 TO JANUARY 1				

\*Place of Use:

ID	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<b><u>Rge</u></b> County
1		NESE	14	9S	11W BEAVERHEAD

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

IMPLIED CLAIM NO. 41A 164798-00 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN 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.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. THE PLACE OF USE APPEARS TO BE ON USDI BUREAU OF LAND MANAGEMENT LAND.

A REQUEST TO WITHDRAW SUBMITTED 10/17/2012 BY THE DNRC OWNERS OF RECORD WAS NOT IMPLEMENTED. THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO NO LONGER BE OWNED BY THE DNRC OWNERS OF RECORD.

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94902-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724				
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724				
<b>Priority Date:</b>	OCTOBER 11, 1884				
Type of Historical Righ	t: USE				
Purpose(use):	STOCK				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 SAGE CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and Means of Diversion:					
<u>ID</u> <u>Govt</u>					
1 Danied of Dimension	SWNWSE 3 13S 9W BEAVERHEAD n: OCTOBER 15 TO MAY 15				
Diversion Means:	DITCH				
Period of Use:	OCTOBER 15 TO MAY 15				
i cittu ul Usc.					

#### \*Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1		SWSWSE	34	12S	9W BEAVERHEAD
2		SW	34	12S	9W BEAVERHEAD
3		W2W2NE	3	13S	9W BEAVERHEAD
4		NWSE	3	13S	9W BEAVERHEAD

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 10/17/2012 WHICH HAS NOT BEEN IMPLEMENTED. THIS AMENDMENT WAS NOT SUBMITTED BY THE OWNER LISTED IN THE DNRC RECORDS.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/09/2011 , THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HUNTSMAN RANCH COMPANY.

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94903-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724				
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724				
Priority Date:	JANUARY 5, 1917				
Type of Historical Righ	t: USE				
Purpose(use):	STOCK				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 GULCH				
Source Type:	SURFACE WATER				
*Point of Diversion and Means of Diversion:					
<u>ID</u> <u>Govt</u>					
1 Portiod of Divorcion	E2W2 14 9S 11W BEAVERHEAD n: MAY 1 TO JANUARY 1				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				
Period of Use:	MAY 1 TO JANUARY 1				
I CHOU OF USC.					

\*Place of Use:

ID	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<b><u>Rge</u></b> County
1		E2W2	14	9S	11W BEAVERHEAD

#### Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

IMPLIED CLAIM NO. 41A 164800-00 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN 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.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. THE PLACE OF USE APPEARS TO BE ON USDI BLM LAND.

A REQUEST TO WITHDRAW SUBMITTED 10/17/2012 BY THE DNRC OWNERS OF RECORD WAS NOT IMPLEMENTED. THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO NO LONGER BE OWNED BY THE DNRC OWNERS OF RECORD.

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

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

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 94904-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724					
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724					
<b>*Priority Date:</b>	MAY 12, 1914					
Type of Historical Righ	t: FILED					
Purpose(use):	STOCK					
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.					
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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</u>						
1	2 SENWNE 5 13S 8W BEAVERHEAD					
	I: MARCH 15 TO AUGUST 15					
<b>Diversion Means:</b>	HEADGATE					

MARCH 15 TO AUGUST 15

**Period of Use:** 

### \*Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1		N2N2	5	13S	8W BEAVERHEAD
2		N2SWNW	5	13S	8W BEAVERHEAD
3			6	13S	8W BEAVERHEAD
4		S2	1	13S	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.

94904-00 94916-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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 10/17/2012 REQUESTING TO AMEND THE MAXIMUM ACRES AND PLACE OF USE . THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL POTENTIAL OWNERS OF THE HISTORIC CLAIMED PLACE OF USE.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/10/2011, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HUNTSMAN RANCH COMPANY.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON USDI BUREAU OF LAND MANAGEMENT LAND.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON SAGE CREEK WITH A PRIORITY DATE PREDATING CASE NO. 4174 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94904-00 Page 3 of 3

## **IMPORTANT NOTICE**

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

Water Right Number:	<b>41A 94905-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724
Priority Date:	FEBRUARY 9, 1907
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
*Flow Rate:	10.23 CFS
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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:	270.00
Source Name:	RED ROCK RIVER
Source Type:	SURFACE WATER

MAY 9, 2013 41A 94905-00 Page 2 of 3

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

<u>ID</u> <u>Go</u>	vt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1		NWSENE	15	13S	9W	BEAVERHEAD
Period of Diversion: MAY 15 TO JULY 15						
<b>Diversion Mean</b>	s: HEADG	GATE				
<b>Ditch Name:</b>	CRAWF	FORD DITCH	ł			
Period of Use:	MAY 15	TO JULY 15				

\*Place of Use:

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1	66.00	W2SE	34	12S	9W BEAVERHEAD
2	160.00	SW	34	12S	9W BEAVERHEAD
3	44.00	W2NE	3	13S	9W 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.

94905-00 94915-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/14/2011 , THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HUNTSMAN RANCH COMPANY.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94905-00 Page 3 of 3

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94906-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724					
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724					
<b>Priority Date:</b>	JUNE 1, 1885					
Type of Historical Right	:USE					
Purpose(use):	IRRIGATION					
Irrigation Type:	FLOOD					
*Flow Rate:	4.73 CFS					
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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:	125.00					
Source Name:	SAGE CREEK					
Source Type:	SURFACE WATER					

MAY 9, 2013 41A 94906-00 Page 2 of 3

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

ID Govt ]	Govt Lot		Sec	Twp	Rge	<b>County</b>
1			2	13S	9W	BEAVERHEAD
Period of Diversion: APRIL 1 TO AUGUST 1						
<b>Diversion Means:</b>	HEADGA	ΛΤΕ				
Ditch Name: SMITH-MCKNIGHT DITCH NO. 2				NO. 2		
Period of Use:	APRIL 1	TO AUGUS	T 1			

\*Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1	46.00	W2NW	2	13S	9W BEAVERHEAD
2	72.00	E2NE	3	13S	9W BEAVERHEAD
3	7.00	E2SWNE	3	13S	9W BEAVERHEAD
Total:	125.00				

#### 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.

215707-00 94906-00 94907-00 94908-00 94909-00 94910-00 95472-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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. ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/14/2011, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HUNTSMAN RANCH COMPANY AND EVAN HUNTSMAN JR.

USDA AERIAL PHOTOGRAPH NO(S). 779-257 , DATED 09/17/1979 , APPEARS TO INDICATE 99.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-144 , DATED 08/18/1965 , APPEARS TO INDICATE 103.00 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 SAGE CREEK WITH A PRIORITY DATE PREDATING CASE NO. 4174 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94907-00       STATEMENT OF CLAIM         Version:       1 ORIGINAL RIGHT         Status:       ACTIVE
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724
Priority Date:	JUNE 1, 1885
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:	283.00
Source Name:	SAGE CREEK
Source Type:	SURFACE WATER
Point of Diversion and M	Means of Diversion:
ID Govt I 1 Period of Diversion	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NESENE 2 13S 9W BEAVERHEAD : APRIL 1 TO NOVEMBER 30
Diversion Means: Ditch Name:	HEADGATE SMITH-MCKNIGHT DITCH NO. 1

MAY 9, 2013 41A 94907-00 Page 2 of 3

Point of Diversion and Means of Diversion:

<u>ID</u> <u>Govt</u>	Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
2	SE	ESENW	2	13S	9W	BEAVERHEAD
Period of Diversion: APRIL 1 TO NOVEMBER 30						
<b>Diversion Means:</b>	HEADGAT	E				
Ditch Name:	SMITH-MCKNIGHT DITCH NO. 2					
Period of Use:	APRIL 1 TC	NOVEM	BER 3	0		

\*Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1	58.00	E2SE	34	12S	9W BEAVERHEAD
2	65.00	W2SW	35	12S	9W BEAVERHEAD
3	80.00	W2NW	2	13S	9W BEAVERHEAD
4	80.00	NE	3	13S	9W BEAVERHEAD
Total:	283.00				

#### 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.

215707-00 94906-00 94907-00 94908-00 94909-00 94910-00 95472-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/15/2011 , THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HUNTSMAN RANCH COMPANY.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94907-00 Page 3 of 3

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94908-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724						
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724						
Priority Date:	SEPTEMBER 14, 1927						
Type of Historical Right	:USE						
Purpose(use):	IRRIGATION						
Irrigation Type:	FLOOD						
*Flow Rate:	6.06 CFS						
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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:	160.00						
*Source Name:	SAGE CREEK						
Source Type:	SURFACE WATER						

MAY 9, 2013 41A 94908-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

ID	Govt 1	Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<b>County</b>
1			NESWNE	2	13S	9W	BEAVERHEAD
Period of Diversion: APRIL 1 TO OCTOBER 1							
Diversio	on Means:	HEADO	GATE				
Ditch Na	ame:	FARRIN	NGTON DITC	H NO.	1		
Period of Us	e:	APRIL 1	ТО ОСТОВ	ER 1			
*Place of Use:	:						

**Acres Govt Lot** Qtr Sec Twp Rge County ID Sec E2SE 12S **9W BEAVERHEAD** 1 80.00 34 2 40.00 W2SW 35 12S **9W BEAVERHEAD** 25.00 NWNW 2 13S **9W BEAVERHEAD** 3 4 4 15.00 1 3 13S **9W BEAVERHEAD** N2NENE 160.00 Total:

#### Remarks:

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

215707-00 94906-00 94907-00 94908-00 94909-00 94910-00 95472-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/16/2011, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HUNTSMAN RANCH COMPANY.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON SAGE CREEK WITH A PRIORITY DATE PREDATING CASE NO. 4174 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94908-00 Page 3 of 3

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94909-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724
Priority Date:	JUNE 1, 1885
Type of Historical Right	:USE
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
*Flow Rate:	4.81 CFS
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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:	127.00
Source Name:	SAGE CREEK
Source Type:	SURFACE WATER

MAY 9, 2013 41A 94909-00 Page 2 of 3

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

<u>ID</u> <u>Govt</u>	Govt Lot		Sec	Twp	Rge	<u>County</u>
1		NESENE	2	13S	9W	BEAVERHEAD
Period of Diversion	n: APRIL 1	TO AUGUS	ST 31			
<b>Diversion Means:</b>	HEADG	ATE				
Ditch Name:	SMITH-	MCKNIGHT	DITCH	NO. 1		
Period of Use:	APRIL 1	TO AUGUS	T 31			

\*Place of Use:

ID	<u>Acres</u> Ge	ovt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1	40.00		E2SE	34	12S	9W BEAVERHEAD
2	67.00		W2SW	35	12S	9W BEAVERHEAD
3	20.00	4	NWNW	2	13S	9W BEAVERHEAD
Total:	127.00					

#### 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.

215707-00 94906-00 94907-00 94908-00 94909-00 94910-00 95472-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 10/17/2012 WHICH HAS NOT BEEN IMPLEMENTED. THIS AMENDMENT WAS NOT SUBMITTED BY THE OWNER LISTED IN THE DNRC RECORDS.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/16/2011, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HUNTSMAN RANCH COMAPANY.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON SAGE CREEK WITH A PRIORITY DATE PREDATING CASE NO. 4174 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94909-00 Page 3 of 3

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94910-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724
Priority Date:	SEPTEMBER 14, 1927
Type of Historical Right	: USE
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
*Flow Rate:	1.17 CFS
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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:	SAGE CREEK
Source Type:	SURFACE WATER
*Point of Diversion and M <u>ID</u> <u>Govt I</u> 1 Period of Diversion Diversion Means:	

MAY 9, 2013 41A 94910-00 Page 2 of 2

Period of Use: MAY 1 TO AUGUST 1

\*Place of Use:

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	29.00	E2SE	34	12S	9W	BEAVERHEAD
2	2.00	W2NWSW	35	12S	9W	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.

215707-00 94906-00 94907-00 94908-00 94909-00 94910-00 95472-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 10/17/2012 WHICH HAS NOT BEEN IMPLEMENTED. THIS AMENDMENT WAS NOT SUBMITTED BY THE OWNER LISTED IN THE DNRC RECORDS.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/17/2011, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HUNTSMAN RANCH COMPANY.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON SAGE CREEK WITH A PRIORITY DATE PREDATING CASE NO. 4174 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 9491 <sup>-</sup> Version:	1-00 ST 1 ORI( Status:	GINAL		CLAI	М
Owners:	EVAN V H ***DECEA PO BOX 8 DELL, MT	UNTSMAI SED*** 6				
	FLORENC ***DECEA PO BOX 8 DELL, MT	SED*** 6	TSMAN	I		
Priority Date:	APRIL 15,	1920				
Type of Historical Right	USE					
*Purpose(use):	MULTIPLE		ГIС			
Flow Rate:	25.00 GPN	Л				
Volume:	1.50 AC-F	т				
Households:	2					
*Source Name:	SPRING, U	UNNAME	) TRIB	UTARY	OF R	ED ROCK RIVER
Source Type:	GRO	UNDWAT	ER			
Point of Diversion and I	Means of Div	version:				
IDGovt I1Period of Diversion	S\ I: JANUARY	-	Sec 3 CEMBE	<u>Twp</u> 13S ER 31		<u>County</u> BEAVERHEAD
<b>Diversion Means:</b>	SPRING E					
Period of Use:	JANUARY	1 TO DE	CEMBE	R 31		
*Place of Use:	_		~	_	_	-
ID <u>Acres Govt I</u>		<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	S	SESWNE	3	13S	9W	BEAVERHEAD

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/17/2011 , THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HUNTSMAN RANCH COMPANY.

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94912-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	HUNTSMAN RANCH FAMILY LTD PRTNR PO BOX 240086 DELL, MT 59724 0086					
	HUNTSMAN, BILL FAMILY LLC PO BOX 240086 DELL, MT 59724 0086 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER					
	RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.					
Priority Date:	MAY 15, 1900					
Type of Historical Right	: FILED					
Purpose(use):	IRRIGATION					
Irrigation Type:	FLOOD					
Flow Rate:	2.68 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:	525.00					
*Source Name:	UNNAMED TRIBUTARY OF RED ROCK RIVER					
Source Type:	SURFACE WATER					
	ALSO KNOWN AS LITTLE SHEEP CREEK					
*Point of Diversion and I	Means of Diversion:					
ID Govt 1	Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u>					
1	3 SWNESW 30 14S 5W BEAVERHEAD					
	: MAY 1 TO NOVEMBER 1					
<b>Diversion Means:</b>	HEADGATE					

MAY 9, 2013 41A 94912-00 Page 2 of 3

Period of Use: MAY 1 TO NOVEMBER 1

\*Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	160.00	E2E2E2	19	14S	5W BEAVERHEAD
2	160.00	W2W2W2	20	14S	5W BEAVERHEAD
3	34.00	NWNW	29	14S	5W BEAVERHEAD
4	1.00	NWSWNW	29	14S	5W BEAVERHEAD
5	150.00	NE	30	14S	5W BEAVERHEAD
6	1.00	NWNESE	30	14S	5W BEAVERHEAD
7	19.00	NWSE	30	14S	5W BEAVERHEAD
Total:	525.00				

#### **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.

164802-00 164803-00 164804-00 164805-00 94912-00 94913-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE IMPLIED CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 41A 164802-00, 41A 164803-00.

# 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). 579-80, DATED 08/14/1965, APPEARS TO INDICATE 64.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-3FF-154 , DATED 08/14/1965 , APPEARS TO INDICATE 64.00 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94912-00 Page 3 of 3

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94913-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	HUNTSMAN, BILL FAMILY LLC PO BOX 240086 DELL, MT 59724 0086					
Priority Date:	JUNE 27, 1910					
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	: 5 - LOW					
Maximum Acres:	180.00					
*Source Name:	SPRING, UNNAMED TRIBUTARY OF RED ROCK RIVER					
Source Type:	SURFACE WATER					
	ALSO KNOWN AS TWO OR MANY SPRINGS					
*Point of Diversion and N	Aeans of Diversion:					
IDGovt I1	<u>Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENESE 30 14S 5W BEAVERHEAD					
Period of Diversion	: MAY 1 TO NOVEMBER 1					
<b>Diversion Means:</b>	DIVERSION DAM					
2	SENESE 30 14S 5W BEAVERHEAD					
	: MAY 1 TO NOVEMBER 1					
<b>Diversion Means:</b>	DIVERSION DAM					
Period of Use:	MAY 1 TO NOVEMBER 1					

#### \*Place of Use:

<u>ID</u>	<u>Acres</u> Ge	ovt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1	5.00		S2SWSW	20	14S	5W BEAVERHEAD
2	75.00		W2NW	29	14S	5W BEAVERHEAD
3	20.00	4	NWSW	29	14S	5W BEAVERHEAD
4	55.00		E2NE	30	14S	5W BEAVERHEAD
5	25.00		N2SE	30	14S	5W 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.

164802-00 164803-00 164804-00 164805-00 94912-00 94913-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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). 579-80 , DATED 09/11/1979 , APPEARS TO INDICATE 74.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-3FF-154 , DATED 08/14/1965 , 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94914-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE					
Owners:	HUNTSMAN RANCH FAMILY LTD PRTNR PO BOX 240086 DELL, MT 59724 0086					
	HUNTSMAN, BILL FAMILY LLC PO BOX 240086 DELL, MT 59724 0086 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.					
Priority Date:	MAY 2, 1904					
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:	456.00					
Source Name:	CORRAL CREEK					
Source Type:	SURFACE WATER					
Point of Diversion and I	Means of Diversion:					
<u>ID</u> <u>Govt</u>	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NENWSW 21 14S 5W BEAVERHEAD					
Period of Diversion	: MAY 1 TO NOVEMBER 1					
<b>Diversion Means:</b>	HEADGATE					

MAY 9, 2013 41A 94914-00 Page 2 of 3

ID	<u>Govt l</u>		<u>Qtr Sec</u>	Sec	Twp	Rge	County		
	2		WNENW	28	14S	5W	BEAVERHEAD		
	riod of Diversion			BER 1					
	version Means:	HEADGA	TE						
3		١	VESENW	28	14S	5W	BEAVERHEAD		
Pe	riod of Diversion	: MAY 1 TO	D NOVEME	BER 1					
Div	version Means:	HEADGA	TE						
4		5	SENWSE	28	14S	5W	BEAVERHEAD		
Pe	Period of Diversion: MAY 1 TO NOVEMBER 1								
Diversion Means: HEADGATE									
Period of Use: MAY 1 TO NOVEMBER 1									
*Place of Use:									
ID	<u>Acres</u> <u>Govt I</u>	<u>Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>		
1	160.00		SE	20	14S	5W	BEAVERHEAD		
2	31.00		E2SW	20	14S	5W	BEAVERHEAD		
3	90.00		SW	21	14S	5W	BEAVERHEAD		
4	135.00		NE	29	14S	5W	BEAVERHEAD		
5	40.00		E2NW	29	14S	5W	BEAVERHEAD		
Total:	456.00								

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE IMPLIED CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 41A 164804-00, 41A 164805-00.

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). 579-80 , DATED 09/11/1979 , APPEARS TO INDICATE 145.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-3FF-154 , DATED 08/14/1965 , APPEARS TO INDICATE 118.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE POINTS OF DIVERSION APPEAR TO BE INCORRECT. SEE CLAIM FILE FOR ADDITIONAL INFORMATION.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94915-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724					
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724					
<b>Priority Date:</b>	JUNE 25, 1909					
Type of Historical Right	: FILED					
Purpose(use):	IRRIGATION					
Irrigation Type:	FLOOD					
*Flow Rate:						
	NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF WASTE AND SEEPAGE.					
*Volume:	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:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF RED ROCK RIVER					
Source Type:	SURFACE WATER					
*Point of Diversion and Means of Diversion:						
IDGovt I1	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> 14 13S 9W BEAVERHEAD					
Period of Diversion Diversion Means:	: MAY 15 TO OCTOBER 15 DRAIN DITCH					

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Period of Use: MAY 15 TO OCTOBER 15

\*Place of Use:

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	Sec	<u>Twp</u>	<u>Rge</u>	<b>County</b>
1	4.00	W2NENE	3	13S	9W	BEAVERHEAD
2	60.00	W2NE	3	13S	9W	BEAVERHEAD
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.

94905-00 94915-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/23/2011 , THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HUNTSMAN RANCH COMPANY.

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

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

## **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94916-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724						
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724						
<b>Priority Date:</b>	MAY 12, 1914						
Type of Historical Right	FILED						
Purpose(use):	IRRIGATION						
Irrigation Type:	FLOOD						
Flow Rate:	6.63 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:	501.00						
Source Name:	SAGE CREEK						
Source Type:	SURFACE WATER						
*Point of Diversion and Means of Diversion:							
<u>ID</u> <u>Govt I</u>							
	2 SENWNE 5 13S 8W BEAVERHEAD						
Diversion Means:	: APRIL 1 TO OCTOBER 1 HEADGATE						
Period of Use:	APRIL 1 TO OCTOBER 1						
	THIS RIGHT IS LIMITED TO HIGH OR FLOOD WATERS OF SAGE CREEK.						

#### \*Place of Use:

ID	<u>Acres</u> Go	ovt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1	20.00		N2NW	5	13S	8W BEAVERHEAD
2	112.00		N2	6	13S	8W BEAVERHEAD
3	15.00	6	NWSW	6	13S	8W BEAVERHEAD
4	354.00			1	13S	9W BEAVERHEAD
Total:	501.00					

#### 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.

94916-00 94917-00 94918-00 94920-00 94923-00 94932-00 94933-00

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.

94904-00 94916-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 10/17/2012 WHICH HAS NOT BEEN IMPLEMENTED. THIS AMENDMENT WAS NOT SUBMITTED BY THE OWNER LISTED IN THE DNRC RECORDS.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/23/2011, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY THE HUNTSMAN RANCH COMPANY.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON USDI BUREAU OF LAND MANAGEMENT LAND.

USDA AERIAL PHOTOGRAPH NO(S). 779-257 , DATED 09/17/1979 , APPEARS TO INDICATE 369.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-145, CXM-6FF-221 , DATED 08/18/1965 , APPEARS TO INDICATE 360.00 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 SAGE CREEK WITH A PRIORITY DATE PREDATING CASE NO. 4174 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94917-00 STATEMENT OF CLAIM							
	Version: 1 ORIGINAL RIGHT							
	Status: ACTIVE							
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724							
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724							
<b>Priority Date:</b>	DECEMBER 22, 1905							
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:	289.00							
Source Name:	SAGE CREEK							
Source Type:	SURFACE WATER							
Point of Diversion and Means of Diversion:								
<u>ID</u> <u>Govt I</u>	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWSENW 6 13S 8W BEAVERHEAD							
<b>Period of Diversion</b>	Period of Diversion: APRIL 1 TO OCTOBER 1							
<b>Diversion Means:</b>	HEADGATE							
Ditch Name:	LOWER SOUTH SIDE DITCH							
Period of Use:	APRIL 1 TO OCTOBER 1							

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#### \*Place of Use:

<u>ID</u>	Acres Govt Lot		<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	12.00	5	SWNW	6	13S	8W	BEAVERHEAD
2	1.00	6	NWNWSW	6	13S	8W	BEAVERHEAD
3	276.00			1	13S	9W	BEAVERHEAD
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.

94916-00 94917-00 94918-00 94920-00 94923-00 94932-00 94933-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 10/17/2012 WHICH HAS NOT BEEN IMPLEMENTED. THIS AMENDMENT WAS NOT SUBMITTED BY THE OWNER LISTED IN THE DNRC RECORDS.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/25/2011, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HUNTSMAN RANCH COMPANY.

USDA AERIAL PHOTOGRAPH NO(S). 779-257 , DATED 09/17/1979 , APPEARS TO INDICATE 257.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-144 , DATED 08/18/1965 , APPEARS TO INDICATE 250.00 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 SAGE CREEK WITH A PRIORITY DATE PREDATING CASE NO. 4174 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94917-00 Page 3 of 3

### **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94918-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724					
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724					
<b>Priority Date:</b>	AUGUST 4, 1913					
Type of Historical Right	DECREED					
Purpose(use):	IRRIGATION					
Irrigation Type:	FLOOD					
Flow Rate:	1.87 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:	297.00					
Source Name:	SAGE CREEK					
Source Type:	SURFACE WATER					
Point of Diversion and Means of Diversion:						
<u>ID</u> <u>Govt I</u>						
1 Dominal of Diversion	NWSENW 6 13S 8W BEAVERHEAD : APRIL 1 TO NOVEMBER 1					
Diversion Means:	HEADGATE					
Ditch Name:	LOWER SOUTH SIDE DITCH					
Period of Use:	APRIL 1 TO NOVEMBER 1					

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MAY 9, 2013 41A 94918-00 Page 2 of 3

#### \*Place of Use:

ID	<u>Acres</u> Go	vt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	9.00	5	SWNW	6	13S	8W	BEAVERHEAD
2	1.00	6	NWNWSW	6	13S	8W	BEAVERHEAD
3	287.00			1	13S	9W	BEAVERHEAD
Total:	297.00						

#### 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.

94916-00 94917-00 94918-00 94920-00 94923-00 94932-00 94933-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 10/17/2012 WHICH HAS NOT BEEN IMPLEMENTED. THIS AMENDMENT WAS NOT SUBMITTED BY THE OWNER LISTED IN THE DNRC RECORDS.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/28/2011, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HUNTSMAN RANCH COMPANY.

USDA AERIAL PHOTOGRAPH NO(S). 779-257 , DATED 09/17/1979 , APPEARS TO INDICATE 257.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-144 , DATED 08/18/1965 , APPEARS TO INDICATE 250.00 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94918-00 Page 3 of 3

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94919-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724
Priority Date:	JUNE 5, 1900
Type of Historical Right	:USE
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
*Flow Rate:	4.85 CFS
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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:	128.00
Source Name:	SAGE CREEK
Source Type:	SURFACE WATER

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Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt I</u>	Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1		١	WSENE	1	13S	9W	BEAVERHEAD
Pe	riod of Diversion	: APRIL 1	TO AUGUS	ST 1			
Di	version Means:	HEADGA	TE				
Ditch Name: LOWER			NORTH SID	DE DIT	СН		
Period of Use: APRIL 1			O AUGUS	T 1			
*Place of	f Use:						
<u>ID</u>	<u>Acres</u> <u>Govt I</u>	Lot	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<b>County</b>
1	128.00		N2	1	13S	9W	BEAVERHEAD
Total:	128.00						

#### **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.

94919-00 94921-00 94922-00 94934-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

## THE FOLLOWING 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 10/17/2012 WHICH HAS NOT BEEN IMPLEMENTED. THIS AMENDMENT WAS NOT SUBMITTED BY THE OWNER LISTED IN THE DNRC RECORDS.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/28/2011, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HUNTSMAN RANCH COMPANY.

USDA AERIAL PHOTOGRAPH NO(S). 779-257 , DATED 09/17/1979 , APPEARS TO INDICATE 89.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-144 , DATED 08/18/1965 , APPEARS TO INDICATE 92.00 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 SAGE CREEK WITH A PRIORITY DATE PREDATING CASE NO. 4174 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94920-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724
<b>Priority Date:</b>	MAY 12, 1914
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	: 5 - LOW
Maximum Acres:	444.00
Source Name: Source Type:	SAGE CREEK SURFACE WATER
*Point of Diversion and N	Means of Diversion:
<u>ID</u> <u>Govt I</u>	LotQtr SecSecTwpRgeCounty2SENWNE513S8WBEAVERHEAD
<b>Period of Diversion</b>	: APRIL 15 TO JULY 15
<b>Diversion Means:</b>	HEADGATE
Ditch Name:	UPPER SOUTH SIDE DITCH
Period of Use:	APRIL 15 TO JULY 15

.....<u>s</u>......<u>s</u>

#### \*Place of Use:

<u>ID</u>	<u>Acres Ge</u>	ovt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1	20.00		N2NW	5	13S	8W BEAVERHEAD
2	77.00		N2	6	13S	8W BEAVERHEAD
3	15.00	6	NWSW	6	13S	8W BEAVERHEAD
4	332.00			1	13S	9W BEAVERHEAD
Total:	444.00					

#### **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.

94916-00 94917-00 94918-00 94920-00 94923-00 94932-00 94933-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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 10/17/2012 WHICH HAS NOT BEEN IMPLEMENTED. THIS AMENDMENT WAS NOT SUBMITTED BY THE OWNER LISTED IN THE DNRC RECORDS.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/29/2011, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY THE HUNTSMAN RANCH COMPANY.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON USDI BUREAU OF LAND MANAGEMENT LAND.

USDA AERIAL PHOTOGRAPH NO(S). 779-257 , DATED 09/17/1979 , APPEARS TO INDICATE 369.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-145, CXM-6FF-221 , DATED 08/18/1965 , APPEARS TO INDICATE 360.00 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 SAGE CREEK WITH A PRIORITY DATE PREDATING CASE NO. 4174 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94920-00 Page 3 of 3

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94921-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724
Priority Date:	MARCH 9, 1911
Type of Historical Right	USE
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
*Flow Rate:	9.66 CFS
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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:	255.00
Source Name:	SAGE CREEK
Source Type:	SURFACE WATER
*Point of Diversion and M <u>ID</u> <u>Govt I</u> 1 Period of Diversion Diversion Means:	

MAY 9, 2013 41A 94921-00 Page 2 of 3

Period of Use: APRIL 1 TO AUGUST 1

\*Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<b>County</b>
1	45.00	NW	6	13S	8W	BEAVERHEAD
2	210.00		1	13S	9W	BEAVERHEAD
Total:	255.00					

#### 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.

94919-00 94921-00 94922-00 94934-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 10/17/2012 WHICH HAS NOT BEEN IMPLEMENTED. THIS AMENDMENT WAS NOT SUBMITTED BY THE OWNER LISTED IN THE DNRC RECORDS.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/29/2011, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HUNTSMAN RANCH COMPANY.

USDA AERIAL PHOTOGRAPH NO(S). 779-257 , DATED 09/17/1979 , APPEARS TO INDICATE 199.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-144 , DATED 08/18/1965 , APPEARS TO INDICATE 193.00 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 SAGE CREEK WITH A PRIORITY DATE PREDATING CASE NO. 4174 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94921-00 Page 3 of 3

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94922-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724
<b>Priority Date:</b>	JUNE 5, 1900
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
*Flow Rate:	4.24 CFS
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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:	112.00
Source Name:	SAGE CREEK
Source Type:	SURFACE WATER

MAY 9, 2013 41A 94922-00 Page 2 of 3

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

<u>ID</u>	<u>Govt I</u>	Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1		Ν	WSENE	1	13S	9W	BEAVERHEAD
Pe	riod of Diversion	: APRIL 15	TO AUGU	ST 15			
Di	version Means:	HEADGA	TE				
Dit	Ditch Name: LOWER N			DE DITO	СН		
Period	of Use:	TO AUGU	ST 15				
*Place of	f Use:						
<u>ID</u>	<u>Acres</u> <u>Govt I</u>	<u>_ot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	112.00		N2	1	13S	9W	BEAVERHEAD
Total:	112.00						

#### **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.

94919-00 94921-00 94922-00 94934-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

## THE FOLLOWING 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 10/22/2012 WHICH HAS NOT BEEN IMPLEMENTED. THIS AMENDMENT WAS NOT SUBMITTED BY THE OWNER LISTED IN THE DNRC RECORDS.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/30/2011, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HUNTSMAN RANCH COMPANY.

USDA AERIAL PHOTOGRAPH NO(S). 779-257 , DATED 09/17/1979 , APPEARS TO INDICATE 89.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-144 , DATED 08/18/1965 , APPEARS TO INDICATE 92.00 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 SAGE CREEK WITH A PRIORITY DATE PREDATING CASE NO. 4174 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94923-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724
<b>Priority Date:</b>	DECEMBER 22, 1905
Type of Historical Right	:USE
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
*Flow Rate:	10.42 CFS
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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:	275.00
Source Name:	SAGE CREEK
Source Type:	SURFACE WATER

MAY 9, 2013 41A 94923-00 Page 2 of 3

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

<u>ID</u> <u>Go</u>	Govt Lot		Sec	Twp	Rge	<b>County</b>
1	I	NWSENW	6	13S	8W	BEAVERHEAD
Period of Diver	TO OCTOB	BER 1				
<b>Diversion Mear</b>	Diversion Means: HEADG					
Ditch Name:	ch Name: LOWER SOUTH SIDE					
Period of Use:	APRIL 1	ТО ОСТОВ	ER 1			

\*Place of Use:

ID	Acres Gov	vt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1	9.00	5	SWNW	6	13S	8W BEAVERHEAD
2	1.00	6	NWNWSW	6	13S	8W BEAVERHEAD
3	265.00			1	13S	9W BEAVERHEAD
Total:	275.00					

#### 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.

94916-00 94917-00 94918-00 94920-00 94923-00 94932-00 94933-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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 10/17/2012 WHICH HAS NOT BEEN IMPLEMENTED. THIS AMENDMENT WAS NOT SUBMITTED BY THE OWNER LISTED IN THE DNRC RECORDS.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/30/2011, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HUNTSMAN RANCH COMPANY.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-144 , DATED 08/18/1965 , APPEARS TO INDICATE 250.00 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 SAGE CREEK WITH A PRIORITY DATE PREDATING CASE NO. 4174 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94924-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	HUNTSMAN, EVAN FAMILY LLC PO BOX 240052 DELL, MT 59724 0052				
Priority Date:	OCTOBER 1, 1903				
Type of Historical Right	: FILED				
Purpose(use):	IRRIGATION				
Irrigation Type:	FLOOD				
Flow Rate:	3.56 CFS				
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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:	94.00				
*Source Name:	UNNAMED TRIBUTARY OF RED ROCK RIVER				
Source Type:	SURFACE WATER				
	ALSO KNOWN AS BLAKE CREEK.				
*Point of Diversion and N	*Point of Diversion and Means of Diversion:				
ID Govt I	Lot <u>Qtr Sec Sec Twp</u> <u>Rge</u> <u>County</u> NENESE 22 14S 3W BEAVERHEAD				
	: MAY 1 TO OCTOBER 1				
<b>Diversion Means:</b>	HEADGATE				
Period of Use:	MAY 1 TO OCTOBER 1				

Place	of	Use:
-------	----	------

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	94.00	NE	22	14S	3W BEAVERHEAD
Total:	94.00				

#### 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.

94924-00 94931-00 94941-00 94942-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/17/2012: PLACE OF USE, MAXIMUM ACRES, FLOW RATE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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-3FF-121 , DATED 08/14/1965 , 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

Water Right Number:	ater Right Number: 41A 94925-00 STATEMENT OF CLAIM					M
	Version:	1 ORIC	GINAL I	RIGHT		
		Status:	AC	TIVE		
Owners:	EVAN V H ***DECEA PO BOX 8 DELL, MT	36	N			
	FLORENO ***DECEA PO BOX 8 DELL, MT	36	TSMAN			
Priority Date:	MAY 1, 1940					
Type of Historical Right	:USE					
*Purpose(use):	MULTIPLE DOMESTIC					
Flow Rate:	25.00 GPM					
Volume:	1.50 AC-F	т				
Households: 2						
*Source Name:	Name: GROUNDWATER					
Source Type:	GRC	UNDWAT	ER			
*Point of Diversion and I	Means of Di	version:				
<u>ID</u> <u>Govt</u>		<u>Qtr Sec</u>	<u>Sec</u>	Twp		<u>County</u>
1	-	SENENE	1 05405	13S	9W	BEAVERHEAD
Period of Diversion Diversion Means:	WELL	r 1 TO DEG	CEMBE	R 31		
Period of Use:		' 1 TO DEC	EMBE	R 31		
	e,					
*Place of Use: ID Acres Govt I	ot	Qtr Sec	Sec	Twp	Rae	County
1	1	SENENE	1	13S	900	BEAVERHEAD

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 12/01/2011 , THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HUNTSMAN RANCH COMPANY.

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94926-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	BILL G HUNTSMAN PO BOX 240086 DELL, MT 59724 0086			
	BONITA J HUNTSMAN PO BOX 240086 DELL, MT 59724 0086			
<b>*Priority Date:</b>	APRIL 29, 1982			
	THE PRIORITY DATE OF THIS WATER RIGHT HAS BEEN CHANGED TO THE FILING DATE OF THE STATEMENT OF CLAIM. THE PRIORITY DATE MAY BE CONTESTED BY PROPER OBJECTION. THIS IS AN EXISTING RIGHT. ITS POST-1973 PRIORITY DATE IS DECREED PURSUANT TO SECTION 85-2-306(4) MCA.			
*Type of Historical Right	: FILED			
Purpose(use):	DOMESTIC			
Flow Rate:	25.00 GPM			
Volume:	1.50 AC-FT			
Households:	1			
Source Name:	GROUNDWATER			
Source Type:	GROUNDWATER			
Point of Diversion and Means of Diversion:				
$\frac{\mathbf{ID}}{1}$ Govt	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWNWNW 6 13S 8W BEAVERHEAD			
	a: JANUARY 1 TO DECEMBER 31			
<b>Diversion Means:</b>	WELL			
Period of Use:	JANUARY 1 TO DECEMBER 31			

#### Place of Use:

ID	Acres Govt Lot	<b>Qtr Sec</b>	<u>Sec</u>	Twp	Rge County
1		NWNWNW	6	13S	8W BEAVERHEAD

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	•: 41A 94927-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT					М	
	version.	Status:		TIVE			
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724						
	***DECEA PO BOX 8	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724					
Priority Date:	APRIL 15,	APRIL 15, 1910					
Type of Historical Right	:USE						
*Purpose(use):	): MULTIPLE DOMESTIC						
Flow Rate:	25.00 GPM						
Volume:	1.50 AC-FT						
Households:	2						
Source Name:	GROUND	WATER					
Source Type:	GROUNDWATER						
Point of Diversion and I	Means of Div	version:					
IDGovt I1*Period of Diversion	S	<u>Qtr Sec</u> WSESW 1 TO DE0	Sec 1 CEMBE	<u>Twp</u> 13S R 31		<u>County</u> BEAVERHEAD	
<b>Diversion Means:</b>	WELL						
*Period of Use:	JANUARY	1 TO DEC	CEMBE	R 31			
Place of Use:							
ID <u>Acres</u> Govt I	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>	
1	S	WSESW	1	13S	9W	BEAVERHEAD	

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 12/01/2011 , THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HUNTSMAN RANCH COMPANY.

THE CLAIMED PLACE OF USE 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	er Right Number: 41A 94928-00 STATEMENT OF CLAIM					М
	Version:	1 ORIO	GINAL I	RIGHT		
		Status:	AC	TIVE		
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724					
	***DECEA PO BOX 8	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724				
<b>Priority Date:</b>	FEBRUARY 15, 1924					
Type of Historical Right	:USE					
Purpose(use):	MULTIPLE DOMESTIC					
Flow Rate:	25.00 GPM					
Volume:	1.50 AC-F	Г				
Households:	2					
Source Name:	GROUND	NATER				
Source Type:	GROUNDWATER					
*Point of Diversion and Means of Diversion:						
<u>ID</u> <u>Govt</u>		<u>Qtr Sec</u>	<u>Sec</u>	Twp		<u>County</u>
1		VNENW	6	13S	8W	BEAVERHEAD
Period of Diversion Diversion Means:	WELL	1 TO DEC	EMBE	R 31		
Period of Use:	JANUARY 1 TO DECEMBER 31					
	0, 110, 111					
*Place of Use: ID Acres Govt I	ot	Qtr Sec	Sec	Twp	Rae	<u>County</u>
1	3 SV	VNENW	6	13S	811	BEAVERHEAD

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 12/01/2011 , THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HUNTSMAN RANCH COMPANY.

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94929-00 STATEMENT OF CLAIM	
	Version: 1 ORIGINAL RIGHT	
	Status: ACTIVE	
Owners:	HUNTSMAN, EVAN FAMILY LLC PO BOX 240052 DELL, MT 59724 0052	
<b>Priority Date:</b>	OCTOBER 1, 1903	
Type of Historical Right	FILED	
Purpose(use):	IRRIGATION	
Irrigation Type:	FLOOD	
Flow Rate:	2.50 CFS	
*Volume:	THE TOTAL VOLUME OF THIS WATER RIG AMOUNT PUT TO HISTORICAL AND BENEF	
Climatic Area	5 - LOW	
Maximum Acres:	120.00	
*Source Name:	WINSLOW CREEK	
Source Type:	SURFACE WATER	
Point of Diversion and I	Ieans of Diversion:	
	SWNESW 16 14S 3W BEA	<u>inty</u> AVERHEAD
<b>Diversion Means:</b>	HEADGATE	
Period of Use:	MAY 1 TO OCTOBER 1	
Place of Use:		
ID <u>Acres Govt I</u>	<u>ot Qtr Sec Sec Twp Rge Cou</u>	<u>inty</u>
1 30.00		VERHEAD
2 10.00		VERHEAD
3 40.00	NWNW 15 14S 3W BEA	VERHEAD

#### Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
4	40.00	E2NE	16	14S	3W BEAVERHEAD
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.

94929-00 94930-00 94943-00 94944-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 10/17/2012, REQUESTING TO AMEND THE PLACE OF USE AND MAXIMUM ACRES. THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN APPROVED BY THE US BUREAU OF LAND MANAGEMENT AND STIBAL RANCH LLC, WHO MAY BE POTENTIAL OWNERS OF PORTIONS OF THE HISTORIC CLAIMED PLACE OF USE.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 12/01/2011, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY STIBAL RANCH LLC.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON USDI BLM LAND.

USDA AERIAL PHOTOGRAPH NO(S). 779-199 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-3FF-121 , DATED 08/14/1965 , 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94929-00 Page 3 of 3

### **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94930-00       STATEMENT OF CLAIM         Version:       1 ORIGINAL RIGHT         Status:       ACTIVE				
Owners:	HUNTSMAN, EVAN FAMILY LLC PO BOX 240052 DELL, MT 59724 0052				
<b>Priority Date:</b>	SEPTEMBER 1, 1967				
Type of Historical Right	: USE				
Purpose(use):	IRRIGATION				
Irrigation Type:	FLOOD				
*Flow Rate:					
	NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF WASTE AND SEEPAGE.				
*Volume:	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:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF WINSLOW CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and N	*Point of Diversion and Means of Diversion:				
ID Govt I					
1	SENESE 16 14S 3W BEAVERHEAD				
	: MAY 1 TO OCTOBER 1				
<b>Diversion Means:</b>	DITCH				
2	SWNESE 16 14S 3W BEAVERHEAD				
Period of Diversion	: MAY 1 TO OCTOBER 1				
<b>Diversion Means:</b>	DITCH				

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\*Point of Diversion and Means of Diversion:

<u>ID</u>	Ge	ovt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>			
3			SENWSE	16	14S	3W	BEAVERHEAD			
Period of Diversion: MAY 1 TO OCTOBER 1										
Div	version Mear	ns: DITCI	4							
4			SWNWSE	16	14S	3W	BEAVERHEAD			
Per	riod of Diver	sion: MAY	1 TO OCTOBE	R 1						
Div	version Mear	ns: DITC	4							
5			SWNESW	16	14S	ЗW	BEAVERHEAD			
Period of Diversion: MAY 1 TO OCTOBER 1										
Div	version Mear	ns: DITC	4							
Period of Use:		MAY 1	TO OCTOBE	R 1						
*Place of	Use:									
ID										
	<u>Acres</u> Go	ovt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	County			
<u>1</u>	<u>Acres</u> <u>Go</u> 40.00	ovt Lot 1	<u>Qtr Sec</u> NENE	<u>Sec</u> 3	<u>Twp</u> 14S	<u>Rge</u> 3W				
_							BEAVERHEAD			
1	40.00		NENE	3	14S	3W 3W	BEAVERHEAD			
1 2	40.00 50.00		NENE S2NE	3 3	14S 14S	3W 3W	BEAVERHEAD BEAVERHEAD BEAVERHEAD			
1 2 3	40.00 50.00 120.00		NENE S2NE SE	3 3 3	14S 14S 14S	3W 3W 3W	BEAVERHEAD BEAVERHEAD BEAVERHEAD			
1 2 3 4	40.00 50.00 120.00 65.00		NENE S2NE SE NE	3 3 3 10	14S 14S 14S 14S 14S	3W 3W 3W 3W	BEAVERHEAD BEAVERHEAD BEAVERHEAD BEAVERHEAD BEAVERHEAD			
1 2 3 4 5	40.00 50.00 120.00 65.00 2.00		NENE S2NE SE NE SESESW	3 3 10 10	14S 14S 14S 14S 14S 14S	3W 3W 3W 3W 3W	BEAVERHEAD BEAVERHEAD BEAVERHEAD BEAVERHEAD BEAVERHEAD BEAVERHEAD			

80.00E2NE1614S3WBEAVERHEAD20.00NESE1614S3WBEAVERHEAD

## Remarks:

Total:

615.00

9

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

94929-00 94930-00 94943-00 94944-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 10/17/2012 REQUESTING TO AMEND THE MAXIMUM ACRES AND PLACE OF USE . THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL POTENTIAL OWNERS OF THE HISTORIC CLAIMED PLACE OF USE.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON USDI BUREAU OF LAND MANAGEMENT.

THE BEAVERHEAD COUNTY WATER RESOURCES SURVEY FIELD NOTES (1972) INDICATE THAT 0.00 ACRES WERE IRRIGATED BY THIS USE RIGHT.

USDA AERIAL PHOTOGRAPH NO(S). 779-187, 779-199 , DATED 09/17/1979 , 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94931-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	HUNTSMAN, EVAN FAMILY LLC PO BOX 240052 DELL, MT 59724 0052					
*Priority Date:	JUNE 30, 1890					
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:	160.00					
*Source Name:	SPRING, UNNAMED TRIBUTARY OF RED ROCK RIVER					
Source Type:	SURFACE WATER					
	ALSO KNOWN AS BLAKE SPRING					
*Point of Diversion and Means of Diversion:						
$\frac{\text{ID}}{1}$ Govt 1	Lot <u>Qtr Sec Sec Twp Rge</u> County SENWNW 23 14S 3W BEAVERHEAD					
Pariad of Diversion	: MAY 1 TO APRIL 30					
Diversion Means:	HEADGATE					
Period of Use:	MAY 1 TO APRIL 30					

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	80.00	W2NW	14	14S	3W BEAVERHEAD
2	10.00	NWSW	14	14S	3W BEAVERHEAD
3	70.00	NE	15	14S	3W 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.

94924-00 94931-00 94941-00 94942-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 10/17/2012, REQUESTING TO AMEND THE PLACE OF USE AND MAXIMUM ACRES. THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN APPROVED BY THE BLM, WHO MAY BE A POTENTIAL OWNER OF A PORTION OF THE HISTORIC CLAIMED PLACE OF USE.

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

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON USDI BUREAU OF LAND MANAGEMENT.

THE PERIOD OF DIVERSION MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

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). 779-187 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-3FF-121 , DATED 08/14/1965 , 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94931-00 Page 3 of 3

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94932-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724			
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724			
<b>Priority Date:</b>	APRIL 16, 1912			
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:	275.00			
Source Name:	SAGE CREEK			
Source Type:	SURFACE WATER			
Point of Diversion and Means of Diversion:				
<u>ID</u> <u>Govt I</u>				
I I	NWSENW 6 13S 8W BEAVERHEAD : APRIL 1 TO NOVEMBER 1			
Diversion Means:	HEADGATE			
Ditch Name:	LOWER SOUTH SIDE DITCH			
Period of Use:	APRIL 1 TO NOVEMBER 1			

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#### \*Place of Use:

ID	<u>Acres</u> Go	vt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	9.00	5	SWNW	6	13S	8W	BEAVERHEAD
2	1.00	6	NWNWSW	6	13S	8W	BEAVERHEAD
3	265.00			1	13S	9W	BEAVERHEAD
Total:	275.00						

#### 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.

94916-00 94917-00 94918-00 94920-00 94923-00 94932-00 94933-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 10/17/2012 WHICH HAS NOT BEEN IMPLEMENTED. THIS AMENDMENT WAS NOT SUBMITTED BY THE OWNER LISTED IN THE DNRC RECORDS.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 12/08/2011, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HUNTSMAN RANCH COMPANY.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-144 , DATED 08/18/1965 , APPEARS TO INDICATE 250.00 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94933-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724			
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724			
<b>Priority Date:</b>	APRIL 16, 1913			
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:	268.00			
Source Name:	SAGE CREEK			
Source Type:	SURFACE WATER			
Point of Diversion and Means of Diversion:				
<u>ID</u> <u>Govt I</u>	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWSENW 6 13S 8W BEAVERHEAD			
Period of Diversion	: APRIL 1 TO NOVEMBER 1			
<b>Diversion Means:</b>				
Ditch Name:				
Period of Use:	APRIL 1 TO NOVEMBER 1			

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#### \*Place of Use:

ID	<u>Acres</u> Go	vt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	12.00	5	SWNW	6	13S	8W	BEAVERHEAD
2	1.00	6	NWNWSW	6	13S	8W	BEAVERHEAD
3	255.00			1	13S	9W	BEAVERHEAD
Total:	268.00						

#### 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.

94916-00 94917-00 94918-00 94920-00 94923-00 94932-00 94933-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 10/17/2012 WHICH HAS NOT BEEN IMPLEMENTED. THIS AMENDMENT WAS NOT SUBMITTED BY THE OWNER LISTED IN THE DNRC RECORDS.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 12/08/2011 , THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HUNTSMAN RANCH COMPANY.

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

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

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94934-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	EVAN V HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724			
	FLORENCE M HUNTSMAN ***DECEASED*** PO BOX 86 DELL, MT 59724			
<b>Priority Date:</b>	MARCH 9, 1911			
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:	229.00			
Source Name: Source Type:	SAGE CREEK SURFACE WATER			
*Point of Diversion and Means of Diversion:				
<u>ID</u> 1 <u>Govt I</u>	<u>Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> 1 NENENE 6 13S 8W BEAVERHEAD			
<b>Period of Diversion</b>	: APRIL 1 TO NOVEMBER 1			
<b>Diversion Means:</b>	HEADGATE			
Ditch Name:	UPPER NORTH SIDE DITCH			
Period of Use:	APRIL 1 TO NOVEMBER 1			

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	40.00	N2	6	13S	8W	BEAVERHEAD
2	189.00	N2	1	13S	9W	BEAVERHEAD
Total:	229.00					

#### 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.

94919-00 94921-00 94922-00 94934-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 10/17/2012 WHICH HAS NOT BEEN IMPLEMENTED. THIS AMENDMENT WAS NOT SUBMITTED BY THE OWNER LISTED IN THE DNRC RECORDS.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 12/09/2011, THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY HUNTSMAN RANCH COMPANY.

USDA AERIAL PHOTOGRAPH NO(S). 779-257 , DATED 09/17/1979 , APPEARS TO INDICATE 199.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-144 , DATED 08/18/1965 , APPEARS TO INDICATE 193.00 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94934-00 Page 3 of 3

## **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

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

Water Right Number:	<b>41A 94935-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE			
Owners:	HUNTSMAN RANCH FAMILY LTD PRTNR PO BOX 240086 DELL, MT 59724 0086			
Priority Date:	JULY 20, 1900			
Type of Historical Right	: FILED			
Purpose(use):	IRRIGATION			
Irrigation Type:	FLOOD			
*Flow Rate:	1.33 CFS			
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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:	35.00			
*Source Name:	HELL ROARING CREEK			
Source Type:	SURFACE WATER			
	ALSO KNOWN AS RED ROCK CREEK.			
Point of Diversion and Means of Diversion:				
<u>ID</u> <u>Govt I</u>				
1 Danial of Dimonsion	NWSENW 24 14S 1E BEAVERHEAD : MAY 15 TO OCTOBER 15			
Diversion Means:	HEADGATE			
Ditch Name:	EAST HELL ROARING DITCH			
Period of Use:	MAY 15 TO OCTOBER 15			

ID	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<b><u>Rge</u></b> County
1	35.00	S2NW	13	14S	1E BEAVERHEAD
Total:	35.00				

A FIELD INVESTIGATION CONDUCTED ON 09/23/1997 FOUND 35.00 ACRES BEING IRRIGATED. SEE CLAIM FILE FOR ADDITIONAL INFORMATION.

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/17/1997: MAXIMUM ACRES, PRIORITY DATE.

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 10/13/2004.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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). 779-150 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-2FF-5 , DATED 07/31/1965 , 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94936-00       STATEMENT OF CLAIM         Version:       1 ORIGINAL RIGHT         Status:       ACTIVE			
Owners:	HUNTSMAN RANCH FAMILY LTD PRTNR PO BOX 240086 DELL, MT 59724 0086			
Priority Date:	MAY 26, 1900			
Type of Historical Right	: FILED			
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:	115.00			
Source Name:	RED ROCK CREEK			
Source Type:	SURFACE WATER			
	ALSO KNOWN AS RED ROCK CREEK.			
Point of Diversion and Means of Diversion:				
$\frac{\mathbf{ID}}{1} \qquad \qquad \mathbf{Govt I}$	SESWSW 13 14S 1E BEAVERHEAD			
	I: MAY 15 TO OCTOBER 15			
Diversion Means: Ditch Name:	HEADGATE WEST HOLT DITCH			
Period of Use:	MAY 15 TO OCTOBER 15			

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1	26.00	SWNW	13	14S	1E BEAVERHEAD
2	89.00	NE	14	14S	1E BEAVERHEAD
Total:	115.00				

#### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/17/1997: MAXIMUM ACRES AND PLACE OF USE.

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 10/13/2004.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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. 41A 94435-00, 41A 94936-00.

USDA AERIAL PHOTOGRAPH NO(S). 779-150 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

REVIEW OF AERIAL PHOTOGRAPH NO. CXM-2B-43 DATED 08/08/1942 AND FIELD INVESTIGATION CONDUCTED ON 09/23/1997 APPEAR TO INDICATE 82.00 ACRES IRRIGATED. SEE CLAIM FILE FOR ADDITIONAL INFORMATION.

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

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

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94937-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE			
Owners:	HUNTSMAN RANCH FAMILY LTD PRTNR PO BOX 240086 DELL, MT 59724 0086			
Priority Date:	JUNE 1, 1930			
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:	21.50			
Source Name:	UNNAMED TRIBUTARY OF RED ROCK CREEK			
Source Type:	SURFACE WATER			
	ALSO KNOWN AS BEAVER CREEK			
*Point of Diversion and Means of Diversion:				
<u>ID</u> <u>Govt I</u>	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWSESE 11 14S 1E BEAVERHEAD			
	: MAY 15 TO OCTOBER 15			
<b>Diversion Means:</b>				
	THE MEANS OF DIVERSION IS A CULVERT.			
Period of Use:	MAY 15 TO OCTOBER 15			

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1	5.00	S2S2SE	11	14S	1E BEAVERHEAD
2	16.50	NWNE	14	14S	1E BEAVERHEAD
Total:	21.50				

#### 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.

94937-00 94939-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 10/13/2004.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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). 779-150, DATED 09/17/1979, APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-2FF-7 , DATED 07/31/1965 , 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94938-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	HUNTSMAN RANCH FAMILY LTD PRTNR PO BOX 240086 DELL, MT 59724 0086
Priority Date:	JUNE 30, 1901
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:	21.00
Source Name:	UNNAMED TRIBUTARY OF RED ROCK CREEK
Source Type:	SURFACE WATER
	ALSO KNOWN AS EAST SPRING CREEK
Point of Diversion and N	Means of Diversion:
<u>ID</u> <u>Govt I</u> 1	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SESWSW 12 14S 1E BEAVERHEAD
Period of Diversion	: MAY 15 TO OCTOBER 15
<b>Diversion Means:</b>	HEADGATE
2	NENWNW 13 14S 1E BEAVERHEAD
	: MAY 15 TO OCTOBER 15
<b>Diversion Means:</b>	HEADGATE
Period of Use:	MAY 15 TO OCTOBER 15

ID	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<b><u>Rge</u></b> <u>County</u>
1	21.00	NW	13	14S	1E BEAVERHEAD
Total:	21.00				

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/17/1997: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 10/13/2004.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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). 779-150 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-2B-43 , DATED 08/08/1942 , 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94939-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	HUNTSMAN RANCH FAMILY LTD PRTNR PO BOX 240086 DELL, MT 59724 0086					
<b>Priority Date:</b>	JUNE 1, 1930					
Type of Historical Righ	t: 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 Are	a: 5 - LOW					
Maximum Acres:	20.00					
Source Name:	UNNAMED TRIBUTARY OF RED ROCK CREEK					
Source Type:	SURFACE WATER					
	ALSO KNOWN AS TIMBER CREEK.					
Point of Diversion and	Means of Diversion:					
ID Govt	Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> NWSWSE 11 14S 1E BEAVERHEAD					
Period of Diversio	n: MAY 15 TO OCTOBER 15					
<b>Diversion Means:</b>	DIKE					
Period of Use:	MAY 15 TO OCTOBER 15					
Place of Use:						
ID Acres Govt	Lot <u>Qtr Sec Sec Twp Rge</u> County					
1 3.30	SWSWSE 11 14S 1E BEAVERHEAD					
2 16.70	NWNE 14 14S 1E BEAVERHEAD					

Place of Use:							
ID	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>	
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.

94937-00 94939-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/23/1997: MAXIMUM ACRES, PLACE OF USE.

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 10/13/2004.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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). 779-150 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-2FF-7 , DATED 07/31/1965 , 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A       94940-00       STATEMENT OF CLAIM         Version:       1 ORIGINAL RIGHT         Status:       ACTIVE
Owners:	HUNTSMAN RANCH FAMILY LTD PRTNR PO BOX 240086 DELL, MT 59724 0086
<b>Priority Date:</b>	JUNE 23, 1920
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	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 Areas	: 5 - LOW
Maximum Acres:	84.30
Source Name:	UNNAMED TRIBUTARY OF RED ROCK CREEK
Source Type:	SURFACE WATER
	ALSO KNOWN AS BIG SPRING CREEK.
*Point of Diversion and N	Means of Diversion:
<u>ID</u> <u>Govt I</u> 1	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWSESW 3 14S 1E BEAVERHEAD
Period of Diversion	: MAY 15 TO OCTOBER 1
<b>Diversion Means:</b>	DITCH
2	3 NENWSW 10 14S 1E BEAVERHEAD
	: MAY 15 TO OCTOBER 1
<b>Diversion Means:</b>	DITCH
Period of Use:	MAY 15 TO OCTOBER 1

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	8.30	E2SESE	9	14S	1E BEAVERHEAD
2	37.00	N2NW	10	14S	1E BEAVERHEAD
3	39.00	S2SW	10	14S	1E BEAVERHEAD
Total:	84.30				

#### Remarks:

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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/23/1997: MEANS OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/28/1998: POINT OF DIVERSION, MAXIMUM ACRES, PLACE OF USE.

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 10/13/2004.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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). 779-150 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-2FF-189 , 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94941-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	HUNTSMAN, EVAN FAMILY LLC PO BOX 240052 DELL, MT 59724 0052					
Priority Date:	JUNE 24, 1888					
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:	310.00					
*Source Name:	TIPTON CREEK					
Source Type:	SURFACE WATER					
	ALSO KNOWN AS LITTLE CREEK					
*Point of Diversion and Means of Diversion:						
<u>ID</u> <u>Govt I</u>	Lot <u>Qtr Sec Sec Twp Rge</u> County 4 SWNWNW 26 14S 3W BEAVERHEAD					
•	: MAY 15 TO OCTOBER 15					
Diversion Means:	HEADGATE					
Period of Use:	MAY 15 TO OCTOBER 15					

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1	40.00	W2W2W2	14	14S	3W BEAVERHEAD
2	40.00	S2NE	15	14S	3W BEAVERHEAD
3	160.00	SE	15	14S	3W BEAVERHEAD
4	60.00	NE	22	14S	3W BEAVERHEAD
5	10.00	W2NWNW	23	14S	3W BEAVERHEAD
Total:	310.00				

#### 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.

94924-00 94931-00 94941-00 94942-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 10/17/2012, REQUESTING TO AMEND THE PLACE OF USE AND MAXIMUM ACRES. THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN APPROVED BY THE BLM, WHO MAY BE A POTENTIAL OWNER OF A PORTION OF THE HISTORIC CLAIMED PLACE OF USE.

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

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON USDI BUREAU OF LAND MANAGEMENT.

USDA AERIAL PHOTOGRAPH NO(S). 779-187 , DATED 09/17/1979 , APPEARS TO INDICATE 94.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-3FF-121 , DATED 08/14/1965 , 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94941-00 Page 3 of 3

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94942-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	HUNTSMAN, EVAN FAMILY LLC PO BOX 240052 DELL, MT 59724 0052					
Priority Date:	APRIL 12, 1896					
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:	680.00					
*Source Name:	TIPTON CREEK					
Source Type:	SURFACE WATER					
	ALSO KNOWN AS LITTLE CREEK					
*Point of Diversion and Means of Diversion:						
<u>ID</u> <u>Govt I</u>						
1 Dominal of Dimonsion	4 SWNWNW 26 14S 3W BEAVERHEAD :: MAY 1 TO OCTOBER 1					
Diversion Means:	HEADGATE					
Period of Use:	MAY 1 TO OCTOBER 1					

ID	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1	40.00	NWNE	14	14S	3W BEAVERHEAD
2	320.00	W2	14	14S	3W BEAVERHEAD
3	270.00	E2	15	14S	3W BEAVERHEAD
4	50.00	N2NW	23	14S	3W BEAVERHEAD
Total:	680.00				

#### **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.

94924-00 94931-00 94941-00 94942-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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 10/17/2012, REQUESTING TO AMEND THE PLACE OF USE AND MAXIMUM ACRES. THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN APPROVED BY THE MONTANA STATE BOARD OF LAND COMMISSIONERS AND THE US BUREAU OF LAND MANAGEMENT, WHO MAY BE POTENTIAL OWNERS OF PORTIONS OF THE HISTORIC CLAIMED PLACE OF USE.

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

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON STATE LAND.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON USDI BUREAU OF LAND MANAGEMENT.

USDA AERIAL PHOTOGRAPH NO(S). 779-187 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-3FF-121 , DATED 08/14/1965 , 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94942-00 Page 3 of 3

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94943-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE				
Owners:	HUNTSMAN, EVAN FAMILY LLC PO BOX 240052 DELL, MT 59724 0052				
Priority Date:	OCTOBER 1, 1903				
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:	575.00				
*Source Name:	SPRING, UNNAMED TRIBUTARY OF RED ROCK RIVER				
Source Type:	SURFACE WATER				
	ALSO KNOWN AS UMBRELLA SPRINGS				
Point of Diversion and N	Means of Diversion:				
ID 1 Govt I	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWNWSE 22 14S 3W BEAVERHEAD				
	: MAY 1 TO OCTOBER 31				
<b>Diversion Means:</b>	HEADGATE				
Period of Use:	Period of Use: MAY 1 TO OCTOBER 31				
Place of Use:					
ID Acres Govt I	Lot <u>Qtr Sec Sec Twp Rge County</u>				

#### Remarks:

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

94929-00 94930-00 94943-00 94944-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/17/2012: PLACE OF USE, MAXIMUM ACRES.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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.

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

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

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94944-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE				
Owners:	HUNTSMAN, EVAN FAMILY LLC PO BOX 240052 DELL, MT 59724 0052				
<b>Priority Date:</b>	NOVEMBER 4, 1909				
Type of Historical Right	: FILED				
Purpose(use):	IRRIGATION				
Irrigation Type:	FLOOD				
*Flow Rate:	24.43 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:	645.00				
*Source Name: Source Type:	WINSLOW CREEK SURFACE WATER ALSO KNOWN AS MUD CREEK				
*Point of Diversion and Means of Diversion:					
$\frac{\mathbf{ID}}{1} \qquad \qquad \mathbf{Govt I}$	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWNESW 16 14S 3W BEAVERHEAD				
Period of Diversion: MAY 1 TO JULY 31					
Diversion Means:					
Period of Use:	MAY 1 TO JULY 31				

*Place of	f Use:					
<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<u>County</u>
1	40.00	NENE	3	14S	3W	BEAVERHEAD
2	60.00	S2NE	3	14S	3W	BEAVERHEAD
3	120.00	SE	3	14S	3W	BEAVERHEAD
4	45.00	NE	10	14S	3W	BEAVERHEAD
5	20.00	SESW	10	14S	3W	BEAVERHEAD
6	160.00	NW	15	14S	3W	BEAVERHEAD
7	80.00	N2SW	15	14S	3W	BEAVERHEAD
8	80.00	E2NE	16	14S	3W	BEAVERHEAD
9	40.00	NESE	16	14S	3W	BEAVERHEAD
Total:	645.00					

#### 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.

94929-00 94930-00 94943-00 94944-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 10/17/2012 REQUESTING TO AMEND THE MAXIMUM ACRES AND PLACE OF USE . THE AMENDMENT HAS NOT BEEN IMPLEMENTED AS IT HAS NOT BEEN SIGNED BY ALL POTENTIAL OWNERS OF THE HISTORIC CLAIMED PLACE OF USE.

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. 41A 40006-00, 41A 94944-00.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON USDI BUREAU OF LAND MANAGEMENT.

USDA AERIAL PHOTOGRAPH NO(S). 779-187, 779-199 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-3FF-119, CXM-3FF-121 , DATED 08/14/1965 , 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94945-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE			
Owners:	DUFFNER RANCHES 19001 S VALLEY RD LIMA, MT 59739 9729			
	M BAR Y LAND & CATTLE LLC 392 STANDBY CREEK RD BUTTE, MT 59701 9709			
Priority Date:	JULY 29, 1919			
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	: 5 - LOW			
Maximum Acres:	95.00			
*Source Name: Source Type:	SPRING, UNNAMED TRIBUTARY OF RED ROCK RIVER GROUNDWATER ALSO KNOWN AS GEARY SPRINGS			
Point of Diversion and Means of Diversion:				
$\frac{\mathbf{ID}}{1}$ Govt 1	SENWSE 24 13S 9W BEAVERHEAD			
Period of Diversion: MAY 1 TO OCTOBER 31 Diversion Means: PIPELINE				
Period of Use:	MAY 1 TO OCTOBER 31			

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge County
1	25.00	NENW	24	13S	9W BEAVERHEAD
2	30.00	NWNW	24	13S	9W BEAVERHEAD
3	20.00	SENW	24	13S	9W BEAVERHEAD
4	5.00	SWNW	24	13S	9W BEAVERHEAD
5	15.00	NESW	24	13S	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.

94945-00 94947-00 94948-00 94956-00 94957-00 94958-00 94959-00 94960-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

## **IMPORTANT NOTICE**

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

Water Right Number:	<b>41A 94946-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	PAUL IVERSON PO BOX 927 POLSON, MT 59860 0927				
	ROBERT IVERSON PO BOX 268 DILLON, MT 59725 0268				
<b>Priority Date:</b>	MAY 5, 1925				
Type of Historical Right	:USE				
Purpose(use):	IRRIGATION				
Irrigation Type:	FLOOD				
*Flow Rate:	340.00 GPM				
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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:	DEEP CREEK				
Source Type:	SURFACE WATER				
Point of Diversion and Means of Diversion:					
$\frac{\mathbf{ID}}{1}$ Govt I	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NESENW 7 15S 7W BEAVERHEAD				
Period of Diversion: MAY 1 TO OCTOBER 31 Diversion Means: HEADGATE					
Period of Use:	MAY 1 TO OCTOBER 31				

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<b><u>Rge</u></b> <u>County</u>
1	20.00	S2SWNE	7	15S	7W BEAVERHEAD
Total:	20.00				

#### Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME MEANS OF DIVERSION AND PERIOD OF DIVERSION. 94946-00 97502-00

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 02/11/1997.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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. 579-111, DATED 09/13/1979 APPEARS TO INDICATE 5.47 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDI AERIAL PHOTOGRAPH NO. CXM-5B-95 , DATED 08/13/1942 , APPEARS TO INDICATE 9.74 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94947-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	DUFFNER RANCHES 19001 S VALLEY RD LIMA, MT 59739 9729
	IVERSON, KENNETH & VIOLA FAMILY TRUST 24 N WALNUT ST DILLON, MT 59725 3264
	M BAR Y LAND & CATTLE LLC 392 STANDBY CREEK RD BUTTE, MT 59701 9709 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
<b>Priority Date:</b>	MAY 15, 1884
Type of Historical Right	:USE
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
*Flow Rate:	10.23 CFS
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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:	270.00
Source Name:	RED ROCK RIVER
Source Type:	SURFACE WATER

MAY 9, 2013 41A 94947-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

<u>ID</u> 1	<u>Govt I</u>	Lot <u>Qtr Sec</u> NWNENE	<u>Sec</u> 31	<u>Twp</u> 13S	<u>Rge</u> 8W	<u>County</u> BEAVERHEAD
	od of Diversion	: MAY 1 TO JULY 1	01	100	0.11	
Dive	ersion Means:	HEADGATE				
Ditc	h Name:	GEARY DITCH				
2		NESWSE	24	13S	9W	BEAVERHEAD
Peri	od of Diversion	: MAY 1 TO JULY 1				
Dive	ersion Means:	HEADGATE				
Ditc	h Name:	FITTER DITCH				
3		NWSWSE	24	13S	9W	BEAVERHEAD
Peri	od of Diversion	: MAY 1 TO JULY 1				
Dive	ersion Means:	HEADGATE				
Period of	f Use:	MAY 1 TO JULY 1				
		THIS RIGHT INCLU	DES HI	GH OR	FLOC	DD WATERS OF RED ROCK RIVER.
Place of	Place of Use:					
ID	<u>Acres</u> Govt I	Lot Qtr Sec	<u>Sec</u>	Twp	Rge	County

<u>ID</u>	Acres Govi Loi	Qtr Sec	Sec	<u>1 wp</u>	<u>kge</u> <u>County</u>
1	130.00	NW	24	13S	9W BEAVERHEAD
2	140.00	S2	24	13S	9W 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.

94945-00 94947-00 94948-00 94956-00 94957-00 94958-00 94959-00 94960-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/21/2011 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY TIMOTHY J CLARK.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON RED ROCK RIVER WITH A PRIORITY DATE PREDATING CASE NO. 576 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94948-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	DUFFNER RANCHES 19001 S VALLEY RD LIMA, MT 59739 9729
	IVERSON, KENNETH & VIOLA FAMILY TRUST 24 N WALNUT ST DILLON, MT 59725 3264
	M BAR Y LAND & CATTLE LLC 392 STANDBY CREEK RD BUTTE, MT 59701 9709 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
Priority Date:	MAY 15, 1884
Type of Historical Right	:USE
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	
	THIS CLAIM IS FOR 400 SHARES OF STOCK OF THE WATER USERS IRRIGATION COMPANY.
*Volume:	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: Source Type:	RED ROCK RIVER SURFACE WATER

MAY 9, 2013 41A 94948-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

<u>ID</u> 1	<u>Govt I</u>		<u>Qtr Sec</u> NNENE	<u>Sec</u> 31	<u>Twp</u> 13S	<u>Rge</u> 8W	
•	riod of Diversion			51	100	000	DEAVENIERD
Div	version Means:	HEADGAT	E				
Dit	ch Name:	GEARY DI	ТСН				
2		N	ESWSE	24	13S	9W	BEAVERHEAD
Per	riod of Diversion	: MAY 1 TO	JULY 1				
Div	version Means:	HEADGAT	E				
Dit	ch Name:	FITTER DI	ТСН				
3		NV	VSWSE	24	13S	9W	BEAVERHEAD
Per	riod of Diversion	: MAY 1 TO	JULY 1				
Div	version Means:	HEADGAT	E				
Period o	of Use:	MAY 1 TO	JULY 1				
Place of	f Use:						
ID	<u>Acres</u> Govt I	ot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	130.00		NW	24	13S	9W	BEAVERHEAD
2	140.00		S2	24	13S	9W	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.

94945-00 94947-00 94948-00 94956-00 94957-00 94958-00 94959-00 94960-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

THIS CLAIM APPEARS TO BE FOR WATER PROVIDED BY THE WATER USERS IRRIGATION CO. UNDER CLAIMS 41A 95526-00, 41A 95527-00, 41A 95528-00, 41A 95529-00, AND 41A 95530-00. THIS CLAIM APPEARS TO BE REDUNDANT.

NO QUANTIFIED FLOW RATE HAS BEEN CLAIMED.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/22/2011, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY TIMOTHY J CLARK.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON RED ROCK RIVER WITH A PRIORITY DATE PREDATING CASE NO. 576 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94949-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	PAUL IVERSON PO BOX 927 POLSON, MT 59860 0927
	ROBERT IVERSON PO BOX 268 DILLON, MT 59725 0268
Priority Date:	MAY 5, 1925
Type of Historical Right	t: USE
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
*Source Name:	WARM SPRINGS CREEK
Source Type:	SURFACE WATER
*Source Name:	DEEP CREEK
Source Type:	SURFACE WATER

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#### \*Point of Diversion and Means of Diversion:

<u>ID</u>	Govt Lot	<u>Qtr Sec</u>	Sec			
1		SESWSE	6	155	7 V V	BEAVERHEAD
*Source Na	me: WA	ARM SPRINGS C	REEK			
Period of I	Diversion: JA	NUARY 1 TO DE	CEMBE	ER 31		
<b>Diversion</b>	Means: LI\	ESTOCK DIREC	T FRO	M SOUI	RCE	
2	7	SWSW	6	15S	7W	BEAVERHEAD
*Source Na	me: WA	ARM SPRINGS C	REEK			
Period of I	Diversion: JA	NUARY 1 TO DE	CEMBE	ER 31		
<b>Diversion</b>	Means: LI\	ESTOCK DIREC	CT FRO	M SOUI	RCE	
3		NENWNE	7	15S	7W	BEAVERHEAD
*Source Na	me: WA	ARM SPRINGS C	REEK			
Period of I	Diversion: JA	NUARY 1 TO DE	CEMBE	ER 31		
<b>Diversion</b>	Means: LI\	ESTOCK DIREC	T FRO	M SOUI	RCE	
4		SESWNE	7	15S	7W	BEAVERHEAD
Source Na	me: DE	EP CREEK				
Period of I	Diversion: JA	NUARY 1 TO DE	CEMBE	ER 31		
<b>Diversion</b>	Means: LI\	ESTOCK DIREC	T FRO	M SOUI	RCE	
5	2	SWNW	7	15S	7W	BEAVERHEAD
Source Na	me: DE	EP CREEK				
Period of I	Diversion: JA	NUARY 1 TO DE	CEMBE	ER 31		
Diversion	Means: LI\	ESTOCK DIREC	T FRO	M SOUI	RCE	
Period of Use:	JAI	NUARY 1 TO DE	CEMBE	R 31		

### \*Place of Use:

<u>ID</u>	Acres Govt Lot	Qtr Sec	<u>Sec</u>	Twp	<b><u>Rge</u></b> County
1		SESWSE	6	15S	7W BEAVERHEAD
2	7	SWSW	6	15S	7W BEAVERHEAD
3		NENWNE	7	15S	7W BEAVERHEAD
4		SESWNE	7	15S	7W BEAVERHEAD
5	2	SWNW	7	15S	7W BEAVERHEAD

### **Remarks:**

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STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

THIS CLAIM APPEARS TO DIVERT WATER FROM TWO SEPARATE SOURCES. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94951	I-00 ST	ATEMI	ENT OF	CLAII	Μ
	Version:	1 ORIO	GINAL	RIGHT		
		Status:	AC	CTIVE		
Owners:	DUFFNER 19001 S V LIMA, MT (	ALLEY RD	)			
	M BAR Y L 392 STANI BUTTE, M	OBY CREI	EK RD			
Priority Date:	DECEMBE	R 31, 189	2			
Type of Historical Right	t: FILED					
Purpose(use):	STOCK					
Flow Rate:	30.00 GPM	1				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.					
*Source Name:	GROUND	VATER				
Source Type:	GRO	UNDWAT	ER			
Point of Diversion and	Means of Div	ersion:				
<u>ID</u> <u>Govt</u>		<u>Qtr Sec</u> VSENW	<u>Sec</u> 24	<u>Twp</u> 13S		<u>County</u> BEAVERHEAD
Period of Diversion		1 TO DE	CEMB	ER 31		
<b>Diversion Means:</b>	WELL					
Period of Use:	JANUARY	1 TO DEC	SEMBE	R 31		
Place of Use:						
ID <u>Acres Govt</u>	<u>Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	NV	VSENW	24	13S	9W	BEAVERHEAD

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/09/2012: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, FLOW RATE, PRIORITY DATE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

IMPLIED CLAIM NO. 41A 30063391 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

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

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94952-00	STATEMENT C	F CLAIM	
	Version: 1 O	RIGINAL RIGH	Г	
	Status	ACTIVE		
Owners:	TERRITORIAL HO 104 TURTLE RD TWIN BRIDGES,			
<b>*Priority Date:</b>	JULY 1, 1901			
Type of Historical Right: DECREED				
Purpose(use):	IRRIGATION			
Irrigation Type:	FLOOD			
*Flow Rate:	4.00 CFS			
*Volume:	THE TOTAL VOLU AMOUNT PUT TO			GHT SHALL NOT EXCEED THE FICIAL USE.
Climatic Area	: 5 - LOW			
Maximum Acres:	110.00			
Source Name:	CABIN CREEK			
Source Type:	SURFACE V	VATER		
*Point of Diversion and I	Means of Diversion:			
<u>ID</u> <u>Govt</u>	NWSWN	E 16 145		o <u>unty</u> EAVERHEAD
Diversion Means:	I: MAY 1 TO OCTO HEADGATE	BER 31		
Period of Use:	MAY 1 TO OCTOR	BER 31		
*Place of Use:				
ID <u>Acres Govt 1</u>	Lot Qtr Se	<u>e Sec Twr</u>	Rge Co	ounty
1 23.00	NWSV	V 15 14S	5 11W BE	AVERHEAD
2 28.00	SESV			AVERHEAD
3 34.00	SWSV	V 15 14S	5 11W BE	AVERHEAD

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\*Place of Use:

ID	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
4	25.00	NENW	22	14S	11W	BEAVERHEAD
Total:	110.00					

### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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). 879-105 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-11B-92 , DATED 08/23/1942 , 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

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Water Right Number:	<b>41A 94953-00</b> STATEMENT OF CLAIM <b>Version:</b> 1 ORIGINAL RIGHT <b>Status:</b> ACTIVE	
Owners:	DUFFNER RANCHES 19001 S VALLEY RD LIMA, MT 59739 9729	
	M BAR Y LAND & CATTLE LLC 392 STANDBY CREEK RD BUTTE, MT 59701 9709	
Priority Date:	MAY 15, 1884	
Type of Historical Righ	t: DECREED	
Purpose(use):	STOCK	
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.	
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.	
Source Name:	RED ROCK RIVER	
Source Type:	SURFACE WATER	
*Point of Diversion and Means of Diversion:		
<u>ID</u> <u>Govt</u>	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NESWSE 24 13S 9W BEAVERHEAD	
-	n: JANUARY 1 TO DECEMBER 31	
Diversion Means: Ditch Name:	HEADGATE JONES-GRAVELY DITCH	

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\*Point of Diversion and Means of Diversion:

ID	<u>Govt I</u>	lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
2		N	IESWSE	24	13S	9W	BEAVERHEAD
Perio	d of Diversion	: JANUARY	/ 1 TO DE(	CEMBE	R 31		
Diver	rsion Means:	HEADGA	TE				
Ditch	Name:	FITTER D	ITCH				
3				24	13S	9W	BEAVERHEAD
Period of Diversion: JANUARY 1 TO DECEMBER 31							
Diver	rsion Means:	LIVESTO	CK DIREC	T FRO	M SOUF	RCE	
Period of	Use:	JANUARY	1 TO DEC	EMBE	R 31		
*Place of U	Jse:						
ID	<u>Acres</u> Govt I	<u>.ot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>

# 24 13S 9W BEAVERHEAD

#### Remarks:

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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.

94953-00 94956-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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Water Right Number:	41A 94954-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	TERRITORIAL HOLDINGS LLC 104 TURTLE RD TWIN BRIDGES, MT 59754				
Priority Date:	JULY 15, 1899				
Type of Historical Right	: DECREED				
Purpose(use):	STOCK				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.				
Source Name:	CABIN CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and M	Means of Diversion:				
ID Govt I	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWSWSW 15 14S 11W BEAVERHEAD				
<b>Period of Diversion</b>	a: JANUARY 1 TO DECEMBER 31				
<b>Diversion Means:</b>	LIVESTOCK DIRECT FROM SOURCE				
2	SWNE 22 14S 11W BEAVERHEAD				
	a: JANUARY 1 TO DECEMBER 31 LIVESTOCK DIRECT FROM SOURCE				
Diversion Means: 3	NENW 22 14S 11W BEAVERHEAD				
-	I JANUARY 1 TO DECEMBER 31				
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE				

MAY 9, 2013 41A 94954-00 Page 2 of 3

#### \*Point of Diversion and Means of Diversion:

ID	Govt Lot		Qtr Sec	Sec	Twp	Rge	<u>County</u>
4		1	NESENW	22	14S	11W	BEAVERHEAD
Period	of Diversion	: JANUAR	Y 1 TO DE	CEMBE	R 31		
Diversi	on Means:	LIVESTO	CK DIREC	T FROI	N SOU	RCE	
5			N2NESE	22	14S	11W	BEAVERHEAD
Period	of Diversion	: JANUAR	Y 1 TO DE	CEMBE	R 31		
Diversi	on Means:	LIVESTO	CK DIREC	T FROI	N SOU	RCE	
6			NWSW	23	14S	11W	BEAVERHEAD
Period	of Diversion	: JANUAR	Y 1 TO DE	CEMBE	R 31		
Diversi	on Means:	LIVESTO	CK DIREC	T FROI	N SOU	RCE	
Period of Us	e:	JANUARY	' 1 TO DEC	EMBE	R 31		

\*Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1		SWSWSW	15	14S	11W	BEAVERHEAD
2		SWNE	22	14S	11W	BEAVERHEAD
3		NENW	22	14S	11W	BEAVERHEAD
4		NESENW	22	14S	11W	BEAVERHEAD
5		N2NESE	22	14S	11W	BEAVERHEAD
6		NWSW	23	14S	11W	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.

94954-00 94955-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94954-00 Page 3 of 3

## **IMPORTANT NOTICE**

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

Water Right Number:	<b>41A 94955-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	TERRITORIAL HOLDINGS LLC 104 TURTLE RD TWIN BRIDGES, MT 59754
Priority Date:	JULY 15, 1899
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:	140.00
Source Name:	CABIN CREEK
Source Type:	SURFACE WATER
Point of Diversion and M	Means of Diversion:
	NENWSE 16 14S 11W BEAVERHEAD MAY 1 TO OCTOBER 31
Diversion Means: 2	HEADGATE SENENW 22 14S 11W BEAVERHEAD
Period of Diversion 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>	Twp	Rge	<u>County</u>
1	5.00	SWSWSW	15	14S	11W	BEAVERHEAD
2	25.00	SWNE	22	14S	11W	BEAVERHEAD
3	55.00	NW	22	14S	11W	BEAVERHEAD
4	30.00	N2SE	22	14S	11W	BEAVERHEAD
5	25.00	NWSW	23	14S	11W	BEAVERHEAD
Total:	140.00					

#### **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.

94954-00 94955-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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). 879-103 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-11B-92 , DATED 08/23/1942 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE POINT OF DIVERSION APPEARS TO BE INCORRECT. THE POINT OF DIVERSION APPEARS TO BE IN THE NWNENW SEC 22 TWP 14S RGE 11W 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94955-00 Page 3 of 3

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94956-00 STATEMENT OF CLAIM		
	Version: 1 ORIGINAL RIGHT		
	Status: ACTIVE		
Owners:	DUFFNER RANCHES 19001 S VALLEY RD LIMA, MT 59739 9729		
	IVERSON, KENNETH & VIOLA FAMILY TRUST 24 N WALNUT ST DILLON, MT 59725 3264		
	M BAR Y LAND & CATTLE LLC 392 STANDBY CREEK RD BUTTE, MT 59701 9709		
Priority Date:	MAY 15, 1884		
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:	125.00		
Source Name:	RED ROCK RIVER		
Source Type:	SURFACE WATER		
*Point of Diversion and Means of Diversion:			
<u>ID</u> <u>Govt I</u>			
1	NWNENE 31 13S 8W BEAVERHEAD		
Period of Diversion Diversion Means:	: MAY 1 TO OCTOBER 31 HEADGATE		
Ditch Name:	GEARY DITCH		

MAY 9, 2013 41A 94956-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

ID Govt		<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
2	N	IESWSE	24	13S	9W	BEAVERHEAD
Period of Diversion: MAY 1 TO OCTOBER 31			R 31			
<b>Diversion Means:</b>	HEADGA	TE				
Ditch Name:	FITTER D	ITCH				
Period of Use:	MAY 1 TO	OCTOBE	R 31			

**Place of Use:** 

ID	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	5.00	SESE	24	13S	9W BEAVERHEAD
2	30.00	SWSE	24	13S	9W BEAVERHEAD
3	10.00	NESW	24	13S	9W BEAVERHEAD
4	30.00	NWSW	24	13S	9W BEAVERHEAD
5	25.00	SESW	24	13S	9W BEAVERHEAD
6	25.00	SWSW	24	13S	9W BEAVERHEAD
Total:	125.00				

#### **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.

94945-00 94947-00 94948-00 94956-00 94957-00 94958-00 94959-00 94960-00

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.

94953-00 94956-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/23/2011 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY TIMOTHY J CLARK.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94957-00 STATEMENT OF CLAIM		
	Version: 1 ORIGINAL RIGHT		
	Status: ACTIVE		
Owners:	DUFFNER RANCHES 19001 S VALLEY RD LIMA, MT 59739 9729		
	M BAR Y LAND & CATTLE LLC 392 STANDBY CREEK RD BUTTE, MT 59701 9709		
Priority Date:	OCTOBER 14, 1886		
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:	95.00		
Source Name:	RED ROCK RIVER		
Source Type:	SURFACE WATER		
*Point of Diversion and Means of Diversion:			
<u>ID</u> <u>Govt l</u>			
1	NESWSE 24 13S 9W BEAVERHEAD		
Diversion Means:	: MAY 1 TO OCTOBER 31 HEADGATE		
Ditch Name:	JONES-GRAVELY DITCH		
Period of Use:	MAY 1 TO OCTOBER 31		

#### \*Place of Use:

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge County
1	25.00	NENW	24	13S	9W BEAVERHEAD
2	30.00	NWNW	24	13S	9W BEAVERHEAD
3	20.00	SENW	24	13S	9W BEAVERHEAD
4	5.00	SWNW	24	13S	9W BEAVERHEAD
5	15.00	NESW	24	13S	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.

94945-00 94947-00 94948-00 94956-00 94957-00 94958-00 94959-00 94960-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94958-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	DUFFNER RANCHES 19001 S VALLEY RD LIMA, MT 59739 9729
	M BAR Y LAND & CATTLE LLC 392 STANDBY CREEK RD BUTTE, MT 59701 9709
Priority Date:	MAY 27, 1888
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:	RED ROCK RIVER
Source Type:	SURFACE WATER
Point of Diversion and N	Aeans of Diversion:
	Lot <u>Qtr Sec</u> Sec <u>Twp</u> <u>Rge</u> <u>County</u> NWSWSE 24 13S 9W BEAVERHEAD : MAY 1 TO OCTOBER 10 HEADGATE MAY 1 TO OCTOBER 10
I CHOU OF USE:	

### Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	<u>Twp</u>	<u>Rge</u> <u>County</u>
1	7.00	NWNW	24	13S	9W BEAVERHEAD
2	3.00	SENW	24	13S	9W BEAVERHEAD
3	35.00	SWNW	24	13S	9W 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.

94945-00 94947-00 94948-00 94956-00 94957-00 94958-00 94959-00 94960-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/09/2012: PLACE OF USE, MAXIMUM ACRES.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94959-00 STATEMENT OF CLAIM							
	Version: 1 ORIGINAL RIGHT							
	Status: ACTIVE							
Owners:	DUFFNER RANCHES 19001 S VALLEY RD LIMA, MT 59739 9729							
	IVERSON, KENNETH & VIOLA FAMILY TRUST 24 N WALNUT ST DILLON, MT 59725 3264							
	M BAR Y LAND & CATTLE LLC 392 STANDBY CREEK RD BUTTE, MT 59701 9709							
<b>Priority Date:</b>	OCTOBER 15, 1887							
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:	125.00							
Source Name:	RED ROCK RIVER							
Source Type:	SURFACE WATER							
*Point of Diversion and I	*Point of Diversion and Means of Diversion:							
<u>ID</u> <u>Govt 1</u>								
1 Poriod of Divorsion	NWNENE 31 13S 8W BEAVERHEAD WAY 1 TO OCTOBER 31 : MAY 1 TO OCTOBER 31							
Diversion Means:	HEADGATE							
Ditch Name:	GEARY DITCH							

MAY 9, 2013 41A 94959-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

<u>ID</u> <u>Govt</u>	<u>Lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
2	1	NESWSE	24	13S	9W	BEAVERHEAD
Period of Diversion	: MAY 1 TO	O OCTOBE	R 31			
<b>Diversion Means:</b>	HEADGA	TE				
Ditch Name:	FITTER D	DITCH				
Period of Use:	MAY 1 TC	OCTOBEI	R 31			

**Place of Use:** 

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge County
1	5.00	SESE	24	13S	9W BEAVERHEAD
2	30.00	SWSE	24	13S	9W BEAVERHEAD
3	10.00	NESW	24	13S	9W BEAVERHEAD
4	30.00	NWSW	24	13S	9W BEAVERHEAD
5	25.00	SESW	24	13S	9W BEAVERHEAD
6	25.00	SWSW	24	13S	9W BEAVERHEAD
Total:	125.00				

#### **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.

94945-00 94947-00 94948-00 94956-00 94957-00 94958-00 94959-00 94960-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/30/2011 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY TIMOTHY J CLARK.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94959-00 Page 3 of 3

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94960-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	DUFFNER RANCHES 19001 S VALLEY RD LIMA, MT 59739 9729
	IVERSON, KENNETH & VIOLA FAMILY TRUST 24 N WALNUT ST DILLON, MT 59725 3264
	M BAR Y LAND & CATTLE LLC 392 STANDBY CREEK RD BUTTE, MT 59701 9709
<b>Priority Date:</b>	OCTOBER 15, 1887
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:	125.00
Source Name:	RED ROCK RIVER
Source Type:	SURFACE WATER
*Point of Diversion and I	Means of Diversion:
<u>ID</u> <u>Govt 1</u>	
1 Deviad of Dimension	NWNENE 31 13S 8W BEAVERHEAD
Diversion Means:	: MAY 1 TO OCTOBER 31 HEADGATE
Ditch Name:	GEARY DITCH

MAY 9, 2013 41A 94960-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

<u>ID</u> <u>Govt</u>	<u>Lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
2	1	NESWSE	24	13S	9W	BEAVERHEAD
Period of Diversion	: MAY 1 TO	O OCTOBE	R 31			
<b>Diversion Means:</b>	HEADGA	TE				
Ditch Name:	FITTER D	DITCH				
Period of Use:	MAY 1 TC	OCTOBEI	R 31			

**Place of Use:** 

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge County
1	5.00	SESE	24	13S	9W BEAVERHEAD
2	30.00	SWSE	24	13S	9W BEAVERHEAD
3	10.00	NESW	24	13S	9W BEAVERHEAD
4	30.00	NWSW	24	13S	9W BEAVERHEAD
5	25.00	SESW	24	13S	9W BEAVERHEAD
6	25.00	SWSW	24	13S	9W BEAVERHEAD
Total:	125.00				

#### **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.

94945-00 94947-00 94948-00 94956-00 94957-00 94958-00 94959-00 94960-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 11/30/2011 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY TIMOTHY J CLARK.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94960-00 Page 3 of 3

## **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94961	- <b>00</b> ST	ATEM	ENT OF	CLAI	Μ	
	Version:	1 ORIO	SINAL	RIGHT			
		Status:	A	CTIVE			
Owners:	TAFT, JOH 2158 BALD OJAI, CA 9	WIN RD	4				
Priority Date:	MAY 21, 18	398					
Type of Historical Right	FILED						
Purpose(use):	IRRIGATIC	N					
Irrigation Type:	FLOOD						
Flow Rate:	3.75 CFS						
*Volume:						RIGHT SHALL NOT EXCEED THE ENEFICIAL USE.	
Climatic Area:	: 5 - LOW						
Maximum Acres:	143.00						
Source Name:	SURPRISE	CREEK					
Source Type:	SURF	ACE WA	TER				
*Point of Diversion and N	<b>Means of Div</b>	ersion:					
ID Govt I		<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>	
-		WSESE	25	14S	2W	BEAVERHEAD	
<b>Period of Diversion</b>	-		R 31				
<b>Diversion Means:</b>	HEADGAT	E					
2		WNENE	36	14S	2W	BEAVERHEAD	
Period of Diversion			R 31				
<b>Diversion Means:</b>	HEADGAT	E					
WATER DIVERTED FROM SURPRISE CREEK IS ALSO CONVEYED TO MONTGOMERY CREEK AND THEN TO O'DELL CREEK WHICH ARE USED AS NATURAL CARRIERS TO A SECONDARY POINT OF DIVERSION IN THE SENE SEC 25 TWP 14S RGE 02W BEAVERHEAD COUNTY.							

MAY 9, 2013 41A 94961-00 Page 2 of 2

Period of Use: MAY 1 TO OCTOBER 31

**Place of Use:** 

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	<u>Twp</u>	<u>Rge</u>	<b>County</b>
1	128.00	E2	25	14S	2W	BEAVERHEAD
2	15.00	NENW	25	14S	2W	BEAVERHEAD
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.

94961-00 94962-00 94963-00 94964-00 94965-00 94967-00

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.

94961-00 94971-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/24/1997: POINT OF DIVERSION, MAXIMUM ACRES.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

## **IMPORTANT NOTICE**

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

Water Right Number:	<b>41A 94962-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE			
Owners:	TAFT, JOHN CORP 2158 BALDWIN RD OJAI, CA 93023 9704			
Priority Date:	MAY 6, 1971			
Type of Historical Right	:USE			
Purpose(use):	IRRIGATION			
Irrigation Type:	FLOOD			
*Flow Rate:	42.50 GPM			
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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:	2.50			
*Source Name:	UNNAMED TRIBUTARY OF UPPER RED ROCK LAKE			
Source Type:	SURFACE WATER			
	ALSO KNOWN AS DUCK CREEK			
*Point of Diversion and Means of Diversion:				
IDGovt I1	Lot <u>Qtr Sec Sec Twp</u> <u>Rge</u> <u>County</u> SWNENE 30 14S 1W BEAVERHEAD			
Period of Diversion Diversion Means:	: MAY 15 TO NOVEMBER 1 HEADGATE			
Period of Use:	MAY 15 TO NOVEMBER 1			

#### Place of Use:

ID	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<b><u>Rge</u></b> <u>County</u>
1	2.50	NENE	30	14S	1W BEAVERHEAD
Total:	2.50				

#### 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.

94961-00 94962-00 94963-00 94964-00 94965-00 94967-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/16/2012: PLACE OF USE AND MAXIMUM ACRES.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94963-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	TAFT, JOHN CORP 2158 BALDWIN RD OJAI, CA 93023 9704				
<b>Priority Date:</b>	APRIL 12, 1898				
Type of Historical Right	: FILED				
Purpose(use):	IRRIGATION				
Irrigation Type:	FLOOD				
*Flow Rate:	2.08 CFS				
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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:	55.00				
*Source Name:	ODELL CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and M	Means of Diversion:				
<u>ID</u> 1 <u>Govt I</u>	LotQtr SecSecTwpRgeCounty7SWSWSW3014S1WBEAVERHEAD				
Period of Diversion	Period of Diversion: JUNE 1 TO SEPTEMBER 1				
<b>Diversion Means:</b>	HEADGATE				
2	NESENE 25 14S 2W BEAVERHEAD				
	: JUNE 1 TO SEPTEMBER 1				
Diversion Means:					
Period of Use:	JUNE 1 TO SEPTEMBER 1				

MAY 9, 2013 41A 94963-00 Page 2 of 2

\*Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	35.00	N2	30	14S	1W BEAVERHEAD
2	20.00	NE	25	14S	2W 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.

94961-00 94962-00 94963-00 94964-00 94965-00 94967-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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). 779-167, DATED 09/17/1979, APPEARS TO INDICATE 20.00 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94964-00	STATEM	IENT OF	CLAI	M
	Version: 1	ORIGINAL	RIGHT		
	Sta	tus: A	CTIVE		
Owners:	TAFT, JOHN CO 2158 BALDWIN OJAI, CA 93023	RD			
<b>Priority Date:</b>	MAY 20, 1898				
Type of Historical Right	: FILED				
Purpose(use):	IRRIGATION				
Irrigation Type:	FLOOD				
Flow Rate:	3.75 CFS				
*Volume:					RIGHT SHALL NOT EXCEED THE ENEFICIAL USE.
Climatic Area	: 5 - LOW				
Maximum Acres:	146.00				
*Source Name:	SURPRISE CR	EEK			
Source Type:	SURFACE	WATER			
*Point of Diversion and N	<b>Means of Diversio</b>	n:			
<u>ID</u> <u>Govt I</u>	Lot <u>Qtr</u> NWNE		<u>Twp</u> 14S		<u>County</u> BEAVERHEAD
Period of Diversion				200	BEAVERIEAD
	HEADGATE				
Period of Use:	MAY 1 TO NOV	EMBER 15	5		
Place of Use:					
<u>ID</u> <u>Acres Govt I</u>	<u>.ot</u> <u>Qtr</u>	<u>Sec</u> <u>Sec</u>	Twp	Rge	<u>County</u>
1 131.00		E2 25	14S	2W	BEAVERHEAD
2 15.00	NEI	NW 25	14S	2W	BEAVERHEAD
<b>Total:</b> 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.

94961-00 94962-00 94963-00 94964-00 94965-00 94967-00

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.

180952-00 94964-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/24/1997: PLACE OF USE, MAXIMUM ACRES.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

IMPLIED CLAIM NO. 41A 180952-00 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM.

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

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

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

## PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94965-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	TAFT, JOHN CORP 2158 BALDWIN RD OJAI, CA 93023 9704				
*Priority Date:	DECEMBER 31, 1899				
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:	80.00				
*Source Name:	UNNAMED TRIBUTARY OF UPPER RED ROCK LAKE				
Source Type:	SURFACE WATER				
	ALSO KNOWN AS GRAYLING CREEK.				
	ALSO KNOWN AS FLINT CREEK				
*Point of Diversion and N	Means of Diversion:				
ID Govt I					
1 Derich (Dierrie	NWSWNE 30 14S 1W BEAVERHEAD : MAY 1 TO NOVEMBER 1				
Diversion Means:	HEADGATE				
2	NESENW 30 14S 1W BEAVERHEAD				
Period of Diversion Diversion Means:	: MAY 1 TO NOVEMBER 1 HEADGATE				

MAY 9, 2013 41A 94965-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

ID	<u>Govt l</u>	Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
3		5	NWNESW	30	14S	1W	BEAVERHEAD
Perio	d of Diversion	: MAY	1 TO NOVEME	BER 1			
Diver	sion Means:	HEAD	DGATE				
4		5	SWNESW	30	14S	1W	BEAVERHEAD
Perio	d of Diversion	: MAY	1 TO NOVEME	BER 1			
Diver	sion Means:	HEAD	DGATE				
Period of	Use:	MAY	1 TO NOVEMB	ER 1			
*Place of Use:							
<u>ID</u>	<u>Acres</u> Govt I	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
				~ ~			

	Heres Governor	<u>Vii bee</u>	<u></u>	1.0.0	<u>inge</u> <u>county</u>
1	46.00	NE	30	14S	1W BEAVERHEAD
2	20.00	E2NW	30	14S	1W BEAVERHEAD
3	14.00	N2SW	30	14S	1W BEAVERHEAD
Total:	80.00				

#### **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.

94961-00 94962-00 94963-00 94964-00 94965-00 94967-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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). 779-167 , DATED 09/171979 , 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94965-00 Page 3 of 3

## **IMPORTANT NOTICE**

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

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

Water Right Number: 41A 94966-00 STATEMENT OF CLAIM Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

<b>Owners:</b>	TAFT, JOHN CORP
	2158 BALDWIN RD
	OJAI, CA 93023 9704

**Priority Date:** 

**Enforceable Priority Date:** 

**Type of Historical Right:** 

Purpose (use): IRRIGATION

Flow Rate:

Volume:

Source Name: UNNAMED TRIBUTARY OF ODELL 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 09/24/1997.

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94967-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	TAFT, JOHN CORP 2158 BALDWIN RD OJAI, CA 93023 9704					
Priority Date:	MAY 28, 1899					
Type of Historical Right	FILED					
Purpose(use):	IRRIGATION					
Irrigation Type:	FLOOD					
*Flow Rate:	2.08 CFS					
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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 Areas	5 - LOW					
Maximum Acres:	55.00					
Source Name:	ODELL CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and M	Jeans of Diversion:					
<u>ID</u> <u>Govt I</u>	<u>ot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWSWSW 30 14S 1W BEAVERHEAD					
	Period of Diversion: MAY 1 TO AUGUST 15					
<b>Diversion Means:</b>	HEADGATE					
2	NESENE 25 14S 2W BEAVERHEAD					
Period of Diversion Diversion Means:	: MAY 1 TO AUGUST 15 HEADGATE					
Period of Use:	MAY 1 TO AUGUST 15					
I EITOU OF USE:						

\*Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	35.00	N2	30	14S	1W BEAVERHEAD
2	20.00	NE	25	14S	2W 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.

94961-00 94962-00 94963-00 94964-00 94965-00 94967-00

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.

94967-00 94969-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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). 779-167 , DATED 09/171979 , APPEARS TO INDICATE 20.00 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94968-00	STATEM	IENT OF	CLAI	М
	Version: 1	ORIGINAL	RIGHT		
	Stat	tus: A	CTIVE		
Owners:	TAFT, JOHN CO 2158 BALDWIN OJAI, CA 93023	RD			
*Priority Date:	APRIL 8, 1918				
Type of Historical Right	: FILED				
Purpose(use):	IRRIGATION				
Irrigation Type:	FLOOD				
Flow Rate:	150.00 GPM				
*Volume:					RIGHT SHALL NOT EXCEED THE ENEFICIAL USE.
Climatic Area	: 5 - LOW				
Maximum Acres:	12.00				
*Source Name:	UNNAMED TR	IBUTARY	OF RED	ROCK	RIVER
Source Type:	SURFACE	WATER			
	ALSO KNOWN	AS JACK	SHAMBC	OW CF	REEK
Point of Diversion and I	Aeans of Diversio	n:			
<u>ID</u> <u>Govt 1</u>	Lot Qtr NWSEI		<u>Twp</u> 14S		<u>County</u> BEAVERHEAD
Period of Diversion	: MAY 1 TO OCT	OBER 31			
<b>Diversion Means:</b>	HEADGATE				
Period of Use:	MAY 1 TO OCT	OBER 31			
Place of Use:					
ID <u>Acres Govt I</u>	<u>.ot</u> <u>Qtr</u>	Sec Sec	Twp	<u>Rge</u>	<u>County</u>
1 12.00	N21	W 29	14S	1W	BEAVERHEAD
<b>Total:</b> 12.00					

#### 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.

94968-00 94970-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/16/2012: PLACE OF USE AND MAXIMUM ACRES.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94969-00	STATEM	IENT OF	CLAIM	
	Version: 1 -	- ORIGINAL	RIGHT		
	Sta	atus: A	CTIVE		
Owners:	TAFT, JOHN C 2158 BALDWII OJAI, CA 9302	N RD			
Priority Date:	MAY 28, 1899				
Type of Historical Right	t: FILED				
Purpose(use):	STOCK				
*Flow Rate:	CONSISTS OF DITCH SYSTE	STOCK DE M. THE FLO	RINKING OW RAT	T BEEN DECREED BECAUSE THIS USE DIRECTLY FROM THE SOURCE, OR FR E IS LIMITED TO THE MINIMUM AMOUN SUSTAIN THIS PURPOSE.	
*Volume:	STOCK WATE ANIMAL UNIT.	RING PURF ANIMAL UI	POSES A	OUNT OF WATER CONSUMPTIVELY USE AT THE RATE OF 30 GALLONS PER DAY ALL BE BASED ON REASONABLE CARR E OF THE AREA SERVICED BY THIS WA	PER YING
Source Name:	ODELL CREE	ĸ			
Source Type:	SURFAC	E WATER			
Point of Diversion and	Means of Diversi	on:			
IDGovt1	Lot Qtr N2S	<u>r Sec</u> <u>Sec</u> ENE 25	<u>Twp</u> 14S	Rge County 2W BEAVERHEAD	
Period of Diversion					
<b>Diversion Means:</b>	LIVESTOCK		DM SOUI	RCE	
Period of Use:	MAY 1 TO NO	VEMBER 1			
Place of Use:					
ID Acres Govt	Lot Qti	r Sec Sec	Twp	<u>Rge</u> <u>County</u>	
1	N2S	ENE 25	14S	2W 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.

94967-00 94969-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/24/1997: POINT OF DIVERSION, PLACE OF USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94970	<b>)-00</b> ST	ATEM	ENT OF	CLAI	М
	Version:	1 ORI0	GINAL	RIGHT		
		Status:	AC	CTIVE		
Owners:	TAFT, JOH 2158 BALE OJAI, CA 9	WIN RD	4			
Priority Date:	APRIL 8, 1	918				
Type of Historical Right	: FILED					
Purpose(use):	STOCK					
*Flow Rate:	CONSISTS DITCH SYS	S OF STO STEM. TH	CK DR HE FLC	INKING W RAT	DIRE E IS L	EN DECREED BECAUSE THIS USE CTLY FROM THE SOURCE, OR FROM A .IMITED TO THE MINIMUM AMOUNT AIN THIS PURPOSE.
*Volume:	STOCK WA	ATERING NIT. ANIM	PURP 1AL UN	OSES A	ALL B	OF WATER CONSUMPTIVELY USED FOR E RATE OF 30 GALLONS PER DAY PER E BASED ON REASONABLE CARRYING THE AREA SERVICED BY THIS WATER
*Source Name:	UNNAMED	TRIBUT	ARY C	F UPPE	RRE	D ROCK LAKE
Source Type:	SURF	FACE WA	TER			
	ALSO KNC	OWN AS J	IACK S	HAMBC	W CF	REEK.
*Point of Diversion and M	<b>Means of Div</b>	ersion:				
$\underline{ID}_{1}$ <u>Govt I</u>		<u>Qtr Sec</u> VSENW	<u>Sec</u> 29	<u>Twp</u> 14S		<u>County</u> BEAVERHEAD
Period of Diversion		-		143	1 V V	BEAVERNEAD
<b>Diversion Means:</b>	HEADGAT					
Period of Use:	JUNE 1 TO	OCTOB	ER 31			
Place of Use:						
ID Acres Govt I	<u>lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	County
1		N2NW	29	14S	1W	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.

94968-00 94970-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94971-0	00 STA	ATEME	NT OF	CLAI	М
	Version:	I ORIG	SINAL F	RIGHT		
	1	Status:	AC	TIVE		
Owners:	TAFT, JOHN 2158 BALDV OJAI, CA 93	VIN RD	1			
<b>Priority Date:</b>	MAY 21, 189	98				
Type of Historical Right	t: FILED					
Purpose(use):	STOCK					
*Flow Rate:	CONSISTS ( DITCH SYS	OF STOC	CK DRI	NKING W RATI	DIRE E IS L	EN DECREED BECAUSE THIS USE CTLY FROM THE SOURCE, OR FROM A IMITED TO THE MINIMUM AMOUNT AIN THIS PURPOSE.
*Volume:	STOCK WA	TERING IT. ANIM	PURPO AL UNI	DSES A TS SHA	T THE	OF WATER CONSUMPTIVELY USED FOR E RATE OF 30 GALLONS PER DAY PER E BASED ON REASONABLE CARRYING THE AREA SERVICED BY THIS WATER
Source Name:	SURPRISE	CREEK				
Source Type:	SURFA	CE WAT	ER			
*Point of Diversion and Means of Diversion:						
<u>ID</u> <u>Govt</u>		<u>Qtr Sec</u>	Sec	Twp		County
1 Denie Lef Dimension		SESE	25	14S	2W	BEAVERHEAD
Period of Diversion Diversion Means:	HEADGATE	-	ERI			
2	1 NW	'NENE	36	14S	2W	BEAVERHEAD
Period of Diversion	n: MAY 1 TO N	OVEMB	ER 1			
<b>Diversion Means:</b>	HEADGATE	E				

#### WATER DIVERTED FROM SURPRISE CREEK IS ALSO CONVEYED TO MONTGOMERY CREEK AND THEN TO O'DELL CREEK WHICH ARE USED AS NATURAL CARRIERS TO A SECONDARY POINT OF DIVERSION IN THE SENE SEC 25 TWP 14S RGE 02W BEAVERHEAD COUNTY.

Period of Use: MAY 1 TO NOVEMBER 1

**Place of Use:** 

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1		E2	25	14S	2W BEAVERHEAD
2		NENW	25	14S	2W 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.

94961-00 94971-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/24/1997: POINT OF DIVERSION, PLACE OF USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94972-00       STATEMENT OF CLAIM         Version:       1 ORIGINAL RIGHT         Status:       ACTIVE
Owners:	JAMES E CONGDON 445 BROOKS ST MISSOULA, MT 59801 4014
	OPAL R CONGDON 445 BROOKS ST MISSOULA, MT 59801 4014
	REBECCA ANN_CONGDON PO BOX 85 DELL, MT 59724 0085
	WALTER E CONGDON PO BOX 2440085 DELL, MT 59724 0085
Priority Date:	APRIL 25, 1907
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
*Flow Rate:	9.47 CFS
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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:	JUNCTION CREEK
Source Type:	SURFACE WATER

MAY 9, 2013 41A 94972-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

<u>ID</u>	<u>q</u>	Govt Lot		Sec	Twp	<u>Rge</u>	<u>County</u>
1			NENENE	16	14S	8W	BEAVERHEAD
Pe	riod of Dive	ersion: APRIL	1 TO NOVEN	1BER 1			
Di	version Me	ans: HEADO	GATE				
Period	of Use:	APRIL 1	TO NOVEM	IBER 1			
*Place of	f Use:						
<u>ID</u>	<u>Acres</u> (	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	40.00		NENE	33	13S	9W	BEAVERHEAD
2	160.00		NW	34	13S	9W	BEAVERHEAD
3	40.00		NESW	34	13S	9W	BEAVERHEAD
4	10.00		NESESW	34	13S	9W	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.

94972-00 94974-00 94975-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 CONVEYANCE DITCH HAS BEEN SEVERED BY HIGHWAY CONSTRUCTION AND CANNOT CONVEY WATER FROM THE SOURCE TO THE PLACE OF USE.

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

USDA AERIAL PHOTOGRAPH NO(S). 879-5 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-132 , DATED 08/18/1965 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON JUNCTION CREEK WITH A PRIORITY DATE PREDATING CASE NO. 3802 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94973-00       STATEMENT OF CLAIM         Version:       1 ORIGINAL RIGHT         Status:       ACTIVE
Owners:	JAMES E CONGDON 445 BROOKS ST MISSOULA, MT 59801 4014
	OPAL R CONGDON 445 BROOKS ST MISSOULA, MT 59801 4014
	REBECCA ANN CONGDON PO BOX 85 DELL, MT 59724 0085
	WALTER E CONGDON PO BOX 2440085 DELL, MT 59724 0085
Priority Date:	MARCH 1, 1910
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
*Flow Rate:	1.14 CFS
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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:	SPRING, UNNAMED TRIBUTARY OF GARR CANYON
Source Type:	GROUNDWATER

MAY 9, 2013 41A 94973-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt l</u>	Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>		
1			NESESE	32	13S	9W	BEAVERHEAD		
Per	Period of Diversion: APRIL 1 TO NOVEMBER 1								
Div	ersion Means:	PIPELINE	Ξ						
Period o	Period of Use: APRIL 1 TO NOVEMBER 1								
Place of	Use:								
ID	<u>Acres</u> Govt I	lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>		
1	20.00		SESE	28	13S	9W	BEAVERHEAD		
2	10.00		SWSE	28	13S	9W	BEAVERHEAD		
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.

94973-00 94983-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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). 879-5 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-132 , DATED 08/18/1965 , 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94973-00 Page 3 of 3

## PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94974-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	JAMES E CONGDON 445 BROOKS ST MISSOULA, MT 59801 4014
	OPAL R CONGDON 445 BROOKS ST MISSOULA, MT 59801 4014
	REBECCA ANN CONGDON PO BOX 85 DELL, MT 59724 0085
	WALTER E CONGDON PO BOX 2440085 DELL, MT 59724 0085
Priority Date:	JUNE 13, 1914
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/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:	380.00
Source Name:	JUNCTION CREEK
Source Type:	SURFACE WATER

MAY 9, 2013 41A 94974-00 Page 2 of 3

Point of Diversion and Means of Diversion:

<u>ID</u> 1	Ge	ovt Lot	<u>Qtr Sec</u> NENENE	<u>Sec</u> 16	<u>Twp</u> 14S	<u>Rge</u> 8W	<u>County</u> BEAVERHEAD
Period of Diversion: APRIL 1 TO NOVEMBER 1 Diversion Means: HEADGATE							
Period	of Use:	APRIL 1	TO NOVEM	IBER 1			
Place of	f Use:						
<u>ID</u>	<u>Acres</u> Go	ovt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	40.00		NENE	33	13S	9W	BEAVERHEAD
2	20.00		NWNE	33	13S	9W	BEAVERHEAD
3	160.00		NW	34	13S	9W	BEAVERHEAD
4	160.00		SW	34	13S	9W	BEAVERHEAD
Total:	380.00						

#### 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.

94972-00 94974-00 94975-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON STATE LAND.

USDA AERIAL PHOTOGRAPH NO(S). 897-5 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-132, CXM-6FF-133 , DATED 08/18/1965 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON JUNCTION CREEK WITH A PRIORITY DATE PREDATING CASE NO. 3802 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94975-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	JAMES E CONGDON 445 BROOKS ST MISSOULA, MT 59801 4014
	OPAL R CONGDON 445 BROOKS ST MISSOULA, MT 59801 4014
	REBECCA ANN CONGDON PO BOX 85 DELL, MT 59724 0085
	WALTER E CONGDON PO BOX 2440085 DELL, MT 59724 0085
<b>*Priority Date:</b>	NOVEMBER 15, 1906
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
*Flow Rate:	15.53 CFS
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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:	410.00
Source Name:	RED ROCK RIVER
Source Type:	SURFACE WATER

MAY 9, 2013 41A 94975-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

<u>ID</u> 1	<u>Govt</u>		<u>Qtr Sec</u> SENESW	<u>Sec</u> 3	<u>Twp</u> 14S	<u>Rge</u> 8W	<u>County</u> BEAVERHEAD
Per	riod of Diversio	on: APRIL 1		1BER 1			
Div	version Means:	HEADGA	ΛTE				
*Period of	of Use:	APRIL 1	TO NOVEM	IBER 1			
Place of	f Use:						
ID	<u>Acres</u> Govt	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	40.00		NENE	33	13S	9W	BEAVERHEAD
2	40.00		NWNE	33	13S	9W	BEAVERHEAD
3	10.00		SENE	33	13S	9W	BEAVERHEAD
4	160.00		NW	34	13S	9W	BEAVERHEAD
5	160.00		SW	34	13S	9W	BEAVERHEAD
Total:	410.00						

#### 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.

94972-00 94974-00 94975-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON STATE LAND.

USDA AERIAL PHOTOGRAPH NO(S). 879-5 , DATED 09/18/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-132, CXM-6FF-133 , DATED 08/18/1965 , 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94976-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	JAMES E CONGDON 445 BROOKS ST MISSOULA, MT 59801 4014
	OPAL R CONGDON 445 BROOKS ST MISSOULA, MT 59801 4014
	REBECCA ANN CONGDON PO BOX 85 DELL, MT 59724 0085
	WALTER E CONGDON PO BOX 2440085 DELL, MT 59724 0085
<b>Priority Date:</b>	SEPTEMBER 8, 1885
Type of Historical Right	:DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/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:	650.00
Source Name:	BIG SHEEP CREEK
Source Type:	SURFACE WATER

MAY 9, 2013 41A 94976-00 Page 2 of 3

#### \*Point of Diversion and Means of Diversion:

<u>ID</u> <u>Govt</u>	Govt Lot		<u>Sec</u>	Twp	Rge	<b>County</b>
1		SWSESW	20	13S	9W	BEAVERHEAD
Period of Diversion	n: APRIL 1	TO NOVEM	1BER 1			
<b>Diversion Means:</b>	HEADG	ATE				
Ditch Name:	JAMES I	FLYNN DIT	СН			
Period of Use:	APRIL 1	TO NOVEM	IBER 1			

#### \*Place of Use:

ID	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	160.00	SE	21	13S	9W	BEAVERHEAD
2	40.00	SESW	21	13S	9W	BEAVERHEAD
3	15.00	SENW	22	13S	9W	BEAVERHEAD
4	10.00	SWNW	22	13S	9W	BEAVERHEAD
5	155.00	SW	22	13S	9W	BEAVERHEAD
6	80.00	N2NW	27	13S	9W	BEAVERHEAD
7	40.00	SENW	27	13S	9W	BEAVERHEAD
8	30.00	SWNW	27	13S	9W	BEAVERHEAD
9	20.00	NESW	27	13S	9W	BEAVERHEAD
10	40.00	NENE	28	13S	9W	BEAVERHEAD
11	30.00	NWNE	28	13S	9W	BEAVERHEAD
12	10.00	SENE	28	13S	9W	BEAVERHEAD
13	20.00	NENW	28	13S	9W	BEAVERHEAD
Total:	650.00					

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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 10/15/2012 WHICH HAS NOT BEEN IMPLEMENTED. THIS AMENDMENT WAS NOT SUBMITTED BY THE OWNER LISTED IN THE DNRC RECORDS.

USDA AERIAL PHOTOGRAPH NO(S). 879-5 , DATED 09/18/2011 , APPEARS TO INDICATE 570.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-131, CXM-6FF-132 , DATED 08/18/1965 , APPEARS TO INDICATE 573.00 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94977-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	JAMES E CONGDON 445 BROOKS ST MISSOULA, MT 59801 4014
	OPAL R CONGDON 445 BROOKS ST MISSOULA, MT 59801 4014
	REBECCA ANN CONGDON PO BOX 85 DELL, MT 59724 0085
	WALTER E CONGDON PO BOX 2440085 DELL, MT 59724 0085
Priority Date:	AUGUST 21, 1885
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/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:	650.00
Source Name:	BIG SHEEP CREEK
Source Type:	SURFACE WATER

MAY 9, 2013 41A 94977-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

<u>ID</u> <u>Go</u>	Govt Lot		<u>Sec</u>	Twp	Rge	<u>County</u>
1	ç		20	13S	9W	BEAVERHEAD
Period of Diversion: APRIL 1 TO NOVEMBER						
<b>Diversion Mean</b>	s: HEAD	GATE				
Ditch Name:	JAMES	JAMES FLYNN DITCH				
Period of Use:	APRIL	1 TO NOVEN	IBER 1			

#### \*Place of Use:

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	160.00	SE	21	13S	9W	BEAVERHEAD
2	40.00	SESW	21	13S	9W	BEAVERHEAD
3	15.00	SENW	22	13S	9W	BEAVERHEAD
4	10.00	SWNW	22	13S	9W	BEAVERHEAD
5	155.00	SW	22	13S	9W	BEAVERHEAD
6	80.00	N2NW	27	13S	9W	BEAVERHEAD
7	40.00	SENW	27	13S	9W	BEAVERHEAD
8	30.00	SWNW	27	13S	9W	BEAVERHEAD
9	20.00	NESW	27	13S	9W	BEAVERHEAD
10	40.00	NENE	28	13S	9W	BEAVERHEAD
11	30.00	NWNE	28	13S	9W	BEAVERHEAD
12	10.00	SENE	28	13S	9W	BEAVERHEAD
13	20.00	NENW	28	13S	9W	BEAVERHEAD
Total:	650.00					

### **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.

94977-00 94981-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 10/15/2012 WHICH HAS NOT BEEN IMPLEMENTED. THIS AMENDMENT WAS NOT SUBMITTED BY THE OWNER LISTED IN THE DNRC RECORDS.

USDA AERIAL PHOTOGRAPH NO(S). 879-5 , DATED 09/18/1979 , APPEARS TO INDICATE 570.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-131, CXM-6FF-132 , DATED 08/18/1965 , APPEARS TO INDICATE 573.00 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94978-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	JAMES E CONGDON 445 BROOKS ST MISSOULA, MT 59801 4014
	OPAL R CONGDON 445 BROOKS ST MISSOULA, MT 59801 4014
	REBECCA ANN CONGDON PO BOX 85 DELL, MT 59724 0085
	WALTER E CONGDON PO BOX 2440085 DELL, MT 59724 0085
Priority Date:	NOVEMBER 1, 1897
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/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:	440.00
Source Name:	RED ROCK RIVER
Source Type:	SURFACE WATER

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\*Point of Diversion and Means of Diversion:

ID	<u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1		NWSWNE	32	13S	8W	BEAVERHEAD
Period of Diversion: APRIL 1 TO NOVEMBER 1						
<b>Diversion Me</b>	Diversion Means: HEADC					
Ditch Name:	PATTEI	PATTERSON-JOHNSON DITCH				
Period of Use:	APRIL 1	TO NOVEM	BER 1			

\*Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1	40.00	NESW	22	13S	9W BEAVERHEAD
2	40.00	SESW	22	13S	9W BEAVERHEAD
3	40.00	SWSW	22	13S	9W BEAVERHEAD
4	80.00	N2NW	27	13S	9W BEAVERHEAD
5	80.00	S2NW	27	13S	9W BEAVERHEAD
6	160.00	SW	27	13S	9W BEAVERHEAD
Total:	440.00				

#### 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.

### 94978-00 94979-00

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.

94978-00 94982-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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). 879-5 , DATED 09/18/1979 , APPEARS TO INDICATE 245.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-131, CXM-6FF-132 , DATED 08/18/1965 , APPEARS TO INDICATE 241.00 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 RED ROCK RIVER WITH A PRIORITY DATE PREDATING CASE NO. 576 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94979-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	JAMES E CONGDON 445 BROOKS ST MISSOULA, MT 59801 4014
	OPAL R CONGDON 445 BROOKS ST MISSOULA, MT 59801 4014
	REBECCA ANN CONGDON PO BOX 85 DELL, MT 59724 0085
	WALTER E CONGDON PO BOX 2440085 DELL, MT 59724 0085
Priority Date:	DECEMBER 13, 1965
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	SPRINKLER/FLOOD
Flow Rate:	
	THIS CLAIM IS FOR 500 SHARES OF STOCK OF THE WATER USERS IRRIGATION COMPANY.
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	: 5 - LOW
Maximum Acres:	440.00
*Source Name:	RED ROCK RIVER
Source Type:	SURFACE WATER

MAY 9, 2013 41A 94979-00 Page 2 of 3

#### \*Point of Diversion and Means of Diversion:

<u>ID</u>	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	2	SWNWSW	32	13S	6W	BEAVERHEAD

Period of Diversion:

Diversion Means: DAM

### WATER RELEASED FROM LIMA RESERVOIR USES RED ROCK RIVER AS A NATURAL CARRIER TO CONVEY WATER TO A SECONDARY POINT OF DIVERSION IN THE NESWNE SEC 32 TWP 13S RGE 8W BEAVERHEAD COUNTY.

*Reservoir:	*Reservoir: ONSTREAM		Reservoir Name: LIMA RESERVOIR			
	<u>Govt Lot</u> 2 S	<u>Qtr Sec</u> WNWSW	<u>Sec</u> 32	<u>Twp</u> 13S	<u>Rge</u> 6W	<u>County</u> BEAVERHEAD
<b>Diversion to Reservoir:</b> DIVERSION # 1						
Capacity	8	4,025.00	ACRE-F	EET		
Period of Use:	APRIL 1	TO NOVEI	MBER 1			

\*Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u> <u>County</u>
1	40.00	NESW	22	13S	9W BEAVERHEAD
2	40.00	SESW	22	13S	9W BEAVERHEAD
3	40.00	SWSW	22	13S	9W BEAVERHEAD
4	80.00	N2NW	27	13S	9W BEAVERHEAD
5	80.00	S2NW	27	13S	9W BEAVERHEAD
6	160.00	SW	27	13S	9W BEAVERHEAD
Total:	440.00				

### **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.

94978-00 94979-00

# 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.

THIS CLAIM APPEARS TO BE FOR WATER PROVIDED BY THE WATER USERS IRRIGATION CO. UNDER CLAIMS 41A 95526-00, 41A 95527-00, 41A 95528-00, 41A 95529-00, AND 41A 95530-00. THIS CLAIM APPEARS TO BE REDUNDANT.

THE FLOW RATE HAS NOT BEEN EXAMINED AS NO QUANTIFIED FLOW RATE WAS CLAIMED.

THE PERIOD OF DIVERSION FROM THE SOURCE INTO STORAGE CANNOT BE IDENTIFIED.

USDA AERIAL PHOTOGRAPH NO(S). 879-5 , DATED 09/18/1979 , APPEARS TO INDICATE 245.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-6FF-131, CXM-6FF-132 , DATED 08/18/1965 , APPEARS TO INDICATE 241.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE TYPE OF HISTORICAL RIGHT MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THE CLAIM INDICATES A USE RIGHT.

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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94980-00       STATEMENT OF CLAIM         Version:       1 ORIGINAL RIGHT         Status:       ACTIVE
Owners:	JAMES E CONGDON 445 BROOKS ST MISSOULA, MT 59801 4014
	OPAL R CONGDON 445 BROOKS ST MISSOULA, MT 59801 4014
	REBECCA ANN CONGDON PO BOX 85 DELL, MT 59724 0085
	WALTER E CONGDON PO BOX 2440085 DELL, MT 59724 0085
Priority Date:	JUNE 8, 1954
*Type of Historical Right	:USE
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
*Flow Rate:	1.14 CFS
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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:	RED ROCK RIVER
Source Type:	SURFACE WATER

MAY 9, 2013 41A 94980-00 Page 2 of 2

\*Point of Diversion and Means of Diversion:

<u>ID</u> 1	<u>Govt I</u>	Lot	<u>Qtr Sec</u> NESWSE	<u>Sec</u> 24	<u>Twp</u> 13S	<u>Rge</u> 9W	<u>County</u> BEAVERHEAD
-	riod of Diversion	: APRIL 1			135	900	DEAVENIEAD
Di	version Means:	HEADG					
Di	tch Name:	FITTER	DITCH				
Period	of Use:	APRIL 1	TO NOVEN	IBER 1			
*Place of	f Use:						
<u>ID</u>	<u>Acres</u> <u>Govt I</u>	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	30.00		E2E2NW	22	13S	9W	BEAVERHEAD
Total:	30.00						

#### **Remarks:**

\*

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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-6FF-130 , DATED 08/18/1965 , APPEARS TO INDICATE 20.00 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 RED ROCK RIVER WITH A PRIORITY DATE POSTDATING CASE NO. 576 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94981-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	JAMES E CONGDON 445 BROOKS ST MISSOULA, MT 59801 4014
	OPAL R CONGDON 445 BROOKS ST MISSOULA, MT 59801 4014
	REBECCA ANN CONGDON PO BOX 85 DELL, MT 59724 0085
	WALTER E CONGDON PO BOX 2440085 DELL, MT 59724 0085
Priority Date:	AUGUST 21, 1885
Type of Historical Right	t: DECREED
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 SHEEP CREEK
Source Type:	SURFACE WATER

MAY 9, 2013 41A 94981-00 Page 2 of 2

\*Point of Diversion and Means of Diversion:

ID	<u>Govt I</u>	Lot	<b>Qtr Sec</b>	Sec	Twp	Rge	<b>County</b>
1		S	WSESW	20	13S	9W	BEAVERHEAD
Period of Diversion: APRIL 1 TO JANU				RY 31			
Dive	Diversion Means: HEADGATE						
Ditch	Ditch Name: JAMES FLYNN DITCH						
<b>Period of Use:</b> APRIL 1 TO JANUARY 31							
*Place of U	Jse:						
ID	<u>Acres</u> Govt I	<u>lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>

1	SESW	21	13S	9W BEAVERHEAD
2	NW	27	13S	9W BEAVERHEAD
3	N2N2	28	13S	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.

94977-00 94981-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94982-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	JAMES E CONGDON 445 BROOKS ST MISSOULA, MT 59801 4014
	OPAL R CONGDON 445 BROOKS ST MISSOULA, MT 59801 4014
	WALTER E CONGDON PO BOX 2440085 DELL, MT 59724 0085 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS.
*Priority Date:	NOVEMBER 1, 1897
Type of Historical Righ	t: FILED
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	RED ROCK RIVER
Source Type:	SURFACE WATER

MAY 9, 2013 41A 94982-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

ID	Govt Lot		<u>Qtr Sec</u>		Twp	Rge	<b>County</b>	
1		N	WSWNE	32	13S	8W	BEAVERHEAD	
Period	of Diversion	Real and the second	TO JANUA	RY 31				
Divers	ion Means:	DITCH						
Ditch I	Name:	PATTERS	SON-JOHN	ISON D	NTCH			
Period of Use: APRIL 1 TO JANUARY 31								
Place of Use:								
ID Acres Govt Lot			Otr Sec	Sec	Twp	Rge	County	

	Acres Gove Lot	Qu see	Bec	<u>1 wp</u>	Rge County
1			21	13S	9W BEAVERHEAD
2			22	13S	9W BEAVERHEAD
3			27	13S	9W BEAVERHEAD
4			28	13S	9W BEAVERHEAD
5			34	13S	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.

94978-00 94982-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON RED ROCK RIVER WITH A PRIORITY DATE PREDATING CASE NO. 576 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94982-00 Page 3 of 3

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94983-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	JAMES E CONGDON 445 BROOKS ST MISSOULA, MT 59801 4014
	OPAL R CONGDON 445 BROOKS ST MISSOULA, MT 59801 4014
	REBECCA ANN CONGDON PO BOX 85 DELL, MT 59724 0085
	WALTER E CONGDON PO BOX 2440085 DELL, MT 59724 0085
Priority Date:	MARCH 1, 1910
Type of Historical Right	t: FILED
Purpose(use):	STOCK
Flow Rate:	5.00 CFS
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 GARR CANYON
Source Type:	GROUNDWATER

MAY 9, 2013 41A 94983-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

<u>ID</u> 1	Govt Lot	<u>Qtr Sec</u> NESESE	<u>Sec</u> 32	<u>Twp</u> 13S	<u>Rge</u> 9W	<u>County</u> BEAVERHEAD				
	d of Diversion: MA sion Means: Pll	AY 1 TO NOVEME PELINE	BER 1							
Period of										
Place of U	se:									
ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>				
1		NESESE	32	13S	9W	BEAVERHEAD				
2		NENWNE	33	13S	9W	BEAVERHEAD				
3		SWSENW	33	13S	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.

94973-00 94983-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 10/15/2012 WHICH HAS NOT BEEN IMPLEMENTED. THIS AMENDMENT WAS NOT SUBMITTED BY THE OWNER LISTED IN THE DNRC RECORDS.

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

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. THE PLACE OF USE APPEARS TO BE ON STATE LAND.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94983-00 Page 3 of 3

## **IMPORTANT NOTICE**

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

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

Water Right Numb	41A 94984-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	MATADOR CATTLE CO 9500 BLACKTAIL RD DILLON, MT 59725 9552						
<b>Priority Date:</b>	APRIL 29, 1889						
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 RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.						
Source Name:	PEET CREEK						
Source Type:	SURFACE WATER						
	ALSO KNOWN AS PEAT CREEK AND MOSQUITO CREEK						
Point of Diversion and Means of Diversion:							
<u>ID</u> <u>1</u>	Govt LotQtr SecSecTwpRgeCountySWSENW2314S4WBEAVERHEAD						
	ersion: JANUARY 1 TO DECEMBER 31						
Dimension Me							

**Diversion Means:** DAM

Reservoir: ON	Reservoir: ONSTREAM Reservoir Name: JONES PEETE CREEK # 2					
<u>Govt</u>		<u>Qtr Sec</u> WSENW	<u>Sec</u> 23	<u>Twp</u> 14S	<u>Rge</u> 4W	<u>County</u> BEAVERHEAD
Diversion to F Dam Height: Surface Area: Capacity:				EET		
	THE CAP DNRC.	ACITY, D	AM HEIG	iht, an	ND SU	RFACE AREA HAVE BEEN ESTIMATED BY
Period of Use:	MAY 1 TC	O NOVEMI	BER 1			
Place of Use:						
<u>ID</u> <u>Acres</u> <u>Govt</u>	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1		SENW	23	14S	4W	BEAVERHEAD

### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

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

Water Right Number:	41A 94985-00 STATEMENT OF CLAIM							
	Version: 1 ORIGINAL RIGHT							
	Status: ACTIVE							
Owners:	MATADOR CATTLE CO 9500 BLACKTAIL RD DILLON, MT 59725 9552							
Priority Date:	APRIL 29, 1889							
Type of Historical Righ	it: 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 RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.							
Source Name:	PEET CREEK							
Source Type:	SURFACE WATER							
	ALSO KNOWN AS PEAT CREEK AND MOSQUITO CREEK							
Point of Diversion and	Means of Diversion:							
IDGovt1	LotQtr SecSecTwpRgeCountyNENENE3414S4WBEAVERHEAD							
	n: JANUARY 1 TO DECEMBER 31							
Divorcion Mooney								

**Diversion Means:** DAM

Reservoir: ONS	Reservoir: ONSTREAM Reservoir Name: JONES PEET NO.1					
<u>Govt L</u>	<u>ot</u> <u>Qtr S</u> NENEI		<u>Twp</u> 14S	<u>Rge</u> 4W	<u>County</u> BEAVERHEAD	
Diversion to Ro Dam Height: Surface Area: Capacity:	17.0 3.0 18.0	RSION # 1 0 FEET 0 ACRES 0 ACRE-	S FEET			
	DNRC.	DAIVITIEI	GITI, AI	10 30	RFACE AREA HAVE BEEN ESTIMATED BY	
Period of Use:	MAY 1 TO NOVE	MBER 1				
Place of Use:						
<u>ID</u> <u>Acres</u> <u>Govt L</u>	<u>lot</u> <u>Qtr S</u>	ec Sec	Twp	Rge	<u>County</u>	
1	NEI	NE 34	14S	4W	BEAVERHEAD	

### **Remarks:**

THE PERIOD OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 09/13/2012.

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

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94986	- <b>00</b> ST	TATEME	NT OF	CLAII	M		
	Version:	1 ORI	GINAL I	RIGHT				
		Status:	AC	TIVE				
Owners:	MATADOR 9500 BLAC DILLON, M	KTAIL R	D					
Priority Date:	MAY 1, 190	MAY 1, 1902						
Type of Historical Right	DECREED							
Purpose(use):	IRRIGATIO	N						
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:	1,235.00							
*Source Name:	PEET CREEK							
Source Type:	SURF	ACE WA	TER					
	ALSO KNC	WN AS F	PEAT C	REEK, I	MISQ	JITO CREEK		
*Point of Diversion and M	Aeans of Div	ersion:						
<u>ID</u> <u>Govt I</u>		<u>Qtr Sec</u>	Sec	Twp		County		
1		VSENW	23	14S	4W	BEAVERHEAD		
Period of Diversion			MBER 1	5				
<b>Diversion Means:</b> 2		⊏ ′NWSW	26	14S	4\\/	BEAVERHEAD		
Period of Diversion		-	-	-	4 v v	BEAVERITEAD		
Diversion Means:	HEADGAT			0				
3		NWSW	26	14S	4W	BEAVERHEAD		
Period of Diversion	: APRIL 1 T		MBER 1	5				
<b>Diversion Means:</b>	HEADGAT	E						

### Period of Use: APRIL 1 TO NOVEMBER 15

# Place of Use:

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1	20.25	S2SW	14	14S	4W BEAVERHEAD
2	55.00	E2NE	15	14S	4W BEAVERHEAD
3	156.00	S2S2	15	14S	4W BEAVERHEAD
4	22.50	N2SW	15	14S	4W BEAVERHEAD
5	160.00	NE	22	14S	4W BEAVERHEAD
6	156.75	NW	22	14S	4W BEAVERHEAD
7	151.00	SE	22	14S	4W BEAVERHEAD
8	38.50	SW	22	14S	4W BEAVERHEAD
9	152.00	NW	23	14S	4W BEAVERHEAD
10	155.00	SW	23	14S	4W BEAVERHEAD
11	91.00	NW	26	14S	4W BEAVERHEAD
12	7.50	SW	26	14S	4W BEAVERHEAD
13	69.50	NE	27	14S	4W BEAVERHEAD
Total:	1,235.00				

### 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.

94986-00 94987-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/12/2012: PLACE OF USE, MAXIMUM ACRES.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94986-00 Page 3 of 3

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94987	<b>'-00</b> ST	ГАТЕМЕ	ENT OF	CLAII	M
	Version:	1 ORI	GINAL	RIGHT		
		Status:	AC	TIVE		
Owners:	MATADOR 9500 BLAC DILLON, M	KTAIL R	D			
Priority Date:	APRIL 29,	1889				
Type of Historical Right	DECREED					
Purpose(use):	IRRIGATIO	N				
Irrigation Type:	FLOOD					
Flow Rate:	20.00 CFS					
*Volume:						RIGHT SHALL NOT EXCEED THE ENEFICIAL USE.
Climatic Area	:5 - LOW					
Maximum Acres:	1,235.00					
*Source Name:	PEET CRE	EK				
Source Type:	SURFACE WATER					
	ALSO KNC	WN AS I	PEAT C	REEK, I	MISQ	UITO CREEK
*Point of Diversion and I	Means of Div	ersion:				
ID Govt ]		<u>Qtr Sec</u>	Sec	Twp		County
1		VSENW	23	14S	4W	BEAVERHEAD
Period of Diversion: APRIL 1 TO NOVEMBER 15						
<b>Diversion Means:</b>	HEADGAT					
2		NWSW	26	14S	4W	BEAVERHEAD
Period of Diversion: APRIL 1 TO NOVEMBER 15 Diversion Means: HEADGATE						
3	SW	NWSW	26	14S	4W	BEAVERHEAD
Period of Diversion	APRIL 1 T	O NOVEI	MBER 1	5		
<b>Diversion Means:</b>	HEADGAT	E				

### Period of Use: APRIL 1

### Place of Use:

ID	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	20.25	S2SW	14	14S	4W	BEAVERHEAD
2	55.00	E2NE	15	14S	4W	BEAVERHEAD
3	156.00	S2S2	15	14S	4W	BEAVERHEAD
4	22.50	N2SW	15	14S	4W	BEAVERHEAD
5	160.00	NE	22	14S	4W	BEAVERHEAD
6	156.75	NW	22	14S	4W	BEAVERHEAD
7	151.00	SE	22	14S	4W	BEAVERHEAD
8	38.50	SW	22	14S	4W	BEAVERHEAD
9	152.00	NW	23	14S	4W	BEAVERHEAD
10	155.00	SW	23	14S	4W	BEAVERHEAD
11	91.00	NW	26	14S	4W	BEAVERHEAD
12	7.50	SW	26	14S	4W	BEAVERHEAD
13	69.50	NE	27	14S	4W	BEAVERHEAD
Total:	1,235.00					

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.

94986-00 94987-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/12/2012: PLACE OF USE, MAXIMUM ACRES.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94987-00 Page 3 of 3

## **IMPORTANT NOTICE**

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

Water Right Number:	nter Right Number: 41A 94988-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	MATADOR CATTLE CO 9500 BLACKTAIL RD DILLON, MT 59725 9552					
Priority Date:	APRIL 29, 1910					
Type of Historical Right	: FILED					
Purpose(use):	IRRIGATION					
Irrigation Type:	FLOOD					
*Flow Rate:						
	NO FLOW RATE DECREED BECAUSE THIS USE CONSISTS OF WASTE AND SEEPAGE.					
*Volume:	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:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BEAN CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and N	Aeans of Diversion:					
IDGovt I1	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWNWSE 14 14S 4W BEAVERHEAD					
Period of Diversion	Period of Diversion: APRIL 1 TO NOVEMBER 15					
<b>Diversion Means:</b>	DITCH					
2	SESESW 14 14S 4W BEAVERHEAD					
	Period of Diversion: APRIL 1 TO NOVEMBER 15					
Diversion Means:						
Period of Use:	APRIL 1 TO NOVEMBER 15					

### Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	15.00	NESW	14	14S	4W BEAVERHEAD
2	10.00	NWSW	14	14S	4W BEAVERHEAD
3	35.00	SESW	14	14S	4W BEAVERHEAD
4	25.00	SWSW	14	14S	4W BEAVERHEAD
5	5.00	NESE	15	14S	4W BEAVERHEAD
Total:	90.00				

### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/15/2012: PLACE OF USE, MAXIMUM ACRES, FLOW RATE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94989 Version:	-00 STAT 1 ORIGIN Status:	EMENT OF IAL RIGHT ACTIVE	CLAI	М		
Owners:	MATADOR CATTLE CO 9500 BLACKTAIL RD DILLON, MT 59725 9552						
<b>Priority Date:</b>	JANUARY	1, 1920					
Type of Historical Right	: FILED						
Purpose(use):	DOMESTIC	;					
Flow Rate:	30.00 GPM						
Volume:	6.50 AC-FT	-					
Households:	1						
Maximum Acres:	2.00						
Source Name:	GROUNDV	VATER					
Source Type:	GROL	JNDWATER					
Point of Diversion and I	Means of Dive	ersion:					
$\underline{ID}$ <u>Govt</u>			$\frac{ec}{140}$		County		
1 Period of Diversion			26 14S	477	BEAVERHEAD		
Diversion Means:	WELL		EK ID				
Period of Use: APRIL 1 TO NOVEMBER 15							
Place of Use:							
ID <u>Acres</u> Govt I	Lot	<u>Qtr Sec</u> S	ec <u>Twp</u>	Rge	<b>County</b>		
1 2.00	SW	SWNW 2	26 14S	4W	BEAVERHEAD		
<b>Total:</b> 2.00							

#### 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.

94989-00 94990-00

THE VOLUME WAS AMENDED BY THE CLAIMANT ON 10/12/2012.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94990-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	MATADOR CATTLE CO 9500 BLACKTAIL RD DILLON, MT 59725 9552						
Priority Date:	JANUARY 1, 1920						
Type of Historical Righ	at: FILED						
Purpose(use):	STOCK						
Flow Rate:	30.00 GPM						
*Volume:	*Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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</u>	<u>Lot</u> <u>Qtr Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWSWNW 26 14S 4W BEAVERHEAD						
•	m: APRIL 1 TO NOVEMBER 15						
Diversion Means:							
Period of Use: APRIL 1 TO NOVEMBER 15							
Place of Use:							
ID <u>Acres Govt</u>	<u>Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u>						
1	SWNW 26 14S 4W 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.

94989-00 94990-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94991-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	MATADOR CATTLE CO 9500 BLACKTAIL RD DILLON, MT 59725 9552					
Priority Date:	MAY 26, 1899					
Type of Historical Right	: FILED					
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:	100.00					
*Source Name:	UNNAMED TRIBUTARY OF PEET CREEK					
Source Type:	SURFACE WATER					
	ALSO KNOWN AS ALKALIE FLAT CREEK					
Point of Diversion and Means of Diversion:						
$\frac{ID}{1}$ Govt I	Lot <u>Qtr Sec Sec Twp Rge</u> County NESWNE 28 14S 4W BEAVERHEAD					
•	Period of Diversion: APRIL 1 TO NOVEMBER 15					
Diversion Means:	HEADGATE					
Period of Use:	APRIL 1 TO NOVEMBER 15					

### Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge County
1	17.00	SWSE	21	14S	4W BEAVERHEAD
2	10.00	SESW	21	14S	4W BEAVERHEAD
3	11.00	NENE	28	14S	4W BEAVERHEAD
4	32.00	NWNE	28	14S	4W BEAVERHEAD
5	22.00	SENE	28	14S	4W BEAVERHEAD
6	8.00	SWNE	28	14S	4W BEAVERHEAD
Total:	100.00				

### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/12/2012: PLACE OF USE, MAXIMUM ACRES, FLOW RATE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94992-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	MATADOR CATTLE CO 9500 BLACKTAIL RD DILLON, MT 59725 9552
<b>Priority Date:</b>	AUGUST 2, 1912
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
*Flow Rate:	
	NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF WASTE AND SEEPAGE.
*Volume:	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:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BEAN CREEK
Source Type:	SURFACE WATER
Point of Diversion and N	Means of Diversion:
<u>ID</u> <u>Govt I</u>	
1 Dowing of Diversion	SENESW 13 14S 4W BEAVERHEAD APRIL 1 TO NOVEMBER 15
Diversion Means:	DIKE
Period of Use:	APRIL 1 TO NOVEMBER 15

#### Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1	15.00	SENW	13	14S	4W BEAVERHEAD
2	5.00	SWNW	13	14S	4W BEAVERHEAD
3	40.00	NESW	13	14S	4W BEAVERHEAD
4	40.00	NWSW	13	14S	4W BEAVERHEAD
Total:	100.00				

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/12/2012: PLACE OF USE, MAXIMUM ACRES, MEANS OF DIVERSION.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94993-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	MATADOR CATTLE CO 9500 BLACKTAIL RD DILLON, MT 59725 9552
Priority Date:	MARCH 9, 1908
Type of Historical Right	FILED
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:	455.00
*Source Name:	UNNAMED TRIBUTARY OF PEET CREEK
Source Type:	SURFACE WATER
	ALSO KNOWN AS LITTLE PEAT CREEK
Point of Diversion and N	Aeans of Diversion:
<u>ID</u> <u>Govt I</u>	<u>Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWNWNW 27 14S 4W BEAVERHEAD
Period of Diversion	: APRIL 1 TO NOVEMBER 15
<b>Diversion Means:</b>	HEADGATE
2	SESWNW 27 14S 4W BEAVERHEAD
Period of Diversion Diversion Means:	: APRIL 1 TO NOVEMBER 15 HEADGATE
Period of Use:	APRIL 1 TO NOVEMBER 15

MAY 9, 2013 41A 94993-00 Page 2 of 3

**Place of Use:** 

ID	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1	40.00	NESE	21	14S	4W BEAVERHEAD
2	25.00	NWSE	21	14S	4W BEAVERHEAD
3	30.00	SESE	21	14S	4W BEAVERHEAD
4	5.00	SWSE	22	14S	4W BEAVERHEAD
5	5.00	NESW	22	14S	4W BEAVERHEAD
6	30.00	NWSW	22	14S	4W BEAVERHEAD
7	35.00	SESW	22	14S	4W BEAVERHEAD
8	40.00	SWSW	22	14S	4W BEAVERHEAD
9	30.00	NWNE	27	14S	4W BEAVERHEAD
10	10.00	SENE	27	14S	4W BEAVERHEAD
11	40.00	SWNE	27	14S	4W BEAVERHEAD
12	40.00	NENW	27	14S	4W BEAVERHEAD
13	30.00	NWNW	27	14S	4W BEAVERHEAD
14	40.00	SENW	27	14S	4W BEAVERHEAD
15	25.00	SWNW	27	14S	4W BEAVERHEAD
16	5.00	NESE	27	14S	4W BEAVERHEAD
17	15.00	NWSE	27	14S	4W BEAVERHEAD
18	5.00	NESW	27	14S	4W BEAVERHEAD
19	5.00	NENE	28	14S	4W BEAVERHEAD
Total:	455.00				

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 UNNAMED TRIBUTARY OF PEET CREEK WITH A PRIORITY DATE PREDATING CASE NO. 4798 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 94993-00 Page 3 of 3

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94994-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	MATADOR CATTLE CO 9500 BLACKTAIL RD DILLON, MT 59725 9552
<b>Priority Date:</b>	SEPTEMBER 15, 1905
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	5 - LOW
Maximum Acres:	29.00
*Source Name:	UNNAMED TRIBUTARY OF PEET CREEK
Source Type:	SURFACE WATER
	ALSO KNOWN AS ALKALIE FLAT CREEK #2
*Point of Diversion and I	Aeans of Diversion:
IDGovt I1	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENENW 28 14S 4W BEAVERHEAD
Period of Diversion	: APRIL 1 TO NOVEMBER 15
<b>Diversion Means:</b>	HEADGATE
Period of Use:	APRIL 1 TO NOVEMBER 15
Place of Use:	
ID <u>Acres Govt I</u>	<u>Lot Qtr Sec Sec Twp Rge County</u>
1 29.00	E2SW 21 14S 4W BEAVERHEAD
<b>Total:</b> 29.00	

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/12/2012: PLACE OF USE, MAXIMUM ACRES.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94995-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	MATADOR CATTLE CO 9500 BLACKTAIL RD DILLON, MT 59725 9552
<b>Priority Date:</b>	AUGUST 10, 1915
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:	94.50
*Source Name:	UNNAMED TRIBUTARY OF PEET CREEK
Source Type:	SURFACE WATER
	ALSO KNOWN AS URANES CREEK
Point of Diversion and I	Jeans of Diversion:
ID Govt I	<u>ot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SESWSW 21 14S 4W BEAVERHEAD
Period of Diversion	APRIL 1 TO NOVEMBER 15
<b>Diversion Means:</b>	HEADGATE
Period of Use:	APRIL 1 TO NOVEMBER 15
Place of Use:	
ID Acres Govt I	<u>ot Qtr Sec Sec Twp Rge County</u>
1 94.50	SW 21 14S 4W BEAVERHEAD
<b>Total:</b> 94.50	

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

94995-00 94996-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/12/2012: PLACE OF USE, MAXIMUM ACRES.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94996	-00 ST		ENT OF	CLAI	М
	Version:	1 ORI	GINAL	RIGHT		
		Status:	AC	CTIVE		
Owners:	MATADOR 9500 BLAC DILLON, M	KTAIL R	D			
<b>Priority Date:</b>	JUNE 17, 1	915				
Type of Historical Right	: FILED					
Purpose(use):	IRRIGATIO	N				
Irrigation Type:	FLOOD					
Flow Rate:	3.00 CFS					
*Volume:						RIGHT SHALL NOT EXCEED THE ENEFICIAL USE.
Climatic Area	: 5 - LOW					
Maximum Acres:	94.50					
*Source Name:	UNNAMED	TRIBUT	FARY C	F PEET	CRE	EK
Source Type:	SURF	ACE WA	TER			
	ALSO KNO	WN AS l	JRANE	S CREE	ΞK	
Point of Diversion and I	Means of Div	ersion:				
<u>ID</u> <u>Govt 1</u>		<u>Qtr Sec</u> SWSW	<u>Sec</u> 21	<u>Twp</u> 14S		<u>County</u> BEAVERHEAD
Period of Diversion			MBER 1	5		
	HEADGAT					
Period of Use:	APRIL 1 TO	D NOVEN	/IBER 1	5		
Place of Use:						
ID <u>Acres Govt I</u>	Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1 94.50		SW	21	14S	4W	BEAVERHEAD
Total: 94.50						

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

94995-00 94996-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/12/2012: PLACE OF USE, MAXIMUM ACRES.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

#### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94997	7-00 ST	ATEME	ENT OF	CLAI	М
	Version:	1 ORI0	GINAL	RIGHT		
		Status:	AC	TIVE		
Owners:	MATADOR 9500 BLAC DILLON, M	KTAIL RI	C			
<b>Priority Date:</b>	MAY 17, 19	913				
Type of Historical Right	: FILED					
Purpose(use):	IRRIGATIC	<b>N</b>				
Irrigation Type:	FLOOD					
Flow Rate:	5.00 CFS					
*Volume:						RIGHT SHALL NOT EXCEED THE ENEFICIAL USE.
Climatic Area	: 5 - LOW					
Maximum Acres:	280.00					
Source Name:	BEAR CRE	EK				
Source Type:	SURF	FACE WA	TER			
Point of Diversion and N	<b>Means of Div</b>	ersion:				
<u>ID</u> 1 D i l fDi i	S	<u>Qtr Sec</u> SENESE	<u>Sec</u> 18	<u>Twp</u> 14S		<u>County</u> BEAVERHEAD
Period of Diversion Diversion Means:	HEADGAT		IBER 1	5		
Period of Use:	APRIL 1 TO		IBER 1	5		
		5 NO VEN		•		
Place of Use:	<b>.</b>	Otr See	See	<b>T</b>	Dee	Commenter
<u>ID</u> <u>Acres Govt I</u>	<u>201</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>		County
1 10.00		NWNW	17	14S		BEAVERHEAD
2 20.00 3 5.00		SWNW NWSW	17 17	14S 14S		BEAVERHEAD BEAVERHEAD
5 5.00		1100 300	17	143	300	DEAVERNEAD

#### Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<b><u>Rge</u></b> <u>County</u>
4	20.00	NENE	18	14S	3W BEAVERHEAD
5	25.00	NWNE	18	14S	3W BEAVERHEAD
6	80.00	S2NE	18	14S	3W BEAVERHEAD
7	20.00	SENW	18	14S	3W BEAVERHEAD
8	80.00	N2SE	18	14S	3W BEAVERHEAD
9	20.00	NESW	18	14S	3W BEAVERHEAD
Total:	280.00				

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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.

USDA AERIAL PHOTOGRAPH NO(S). 779-199 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDI AERIAL PHOTOGRAPH NO. CXM-3FF-129 , DATED 08/14/1964 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON BEAR CREEK WITH A PRIORITY DATE PREDATING CASE NO. 4174 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

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

Water Right Number:	41A 94998	<b>3-00</b> ST		ENT OF	CLAII	М
	Version:	1 ORI	GINAL	RIGHT		
		Status:	AC	TIVE		
Owners:	MATADOR 9500 BLAC DILLON, N	CKTAIL R	D			
Priority Date:	MAY 1, 18	89				
Type of Historical Right	: FILED					
Purpose(use):	IRRIGATIC	DN .				
Irrigation Type:	FLOOD					
Flow Rate:	5.00 CFS					
*Volume:						RIGHT SHALL NOT EXCEED THE ENEFICIAL USE.
Climatic Area	: 5 - LOW					
Maximum Acres:	422.00					
Source Name:	JONES CF	REEK				
Source Type:	SURF	FACE WA	TER			
Point of Diversion and N	Means of Div	ersion:				
ID Govt I		<u>Qtr Sec</u> ESESW	<u>Sec</u> 17	<u>Twp</u> 14S		<u>County</u> BEAVERHEAD
Period of Diversion	: APRIL 1 T		MBER 1	5		
<b>Diversion Means:</b>	HEADGAT	ΓE				
2	S	ENENW	20	14S	3W	BEAVERHEAD
Period of Diversion Diversion Means:	: APRIL 1 T HEADGAT		MBER 1	5		
3	SV	VSWNE	28	14S	3W	BEAVERHEAD
Period of Diversion			MBER 1	5		
<b>Diversion Means:</b>	HEADGAT	ΓE				
Period of Use:						

Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	<b><u>Rge</u></b> <u>County</u>
1	8.00	NWNE	17	14S	3W BEAVERHEAD
2	65.00	NW	17	14S	3W BEAVERHEAD
3	91.00	SW	17	14S	3W BEAVERHEAD
4	120.00	NW	20	14S	3W BEAVERHEAD
5	127.00	SW	20	14S	3W BEAVERHEAD
6	11.00	NENW	29	14S	3W BEAVERHEAD
Total:	422.00				

#### **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.

94998-00 95002-00 95005-00 95007-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/15/2012: PLACE OF USE, MAXIMUM ACRES.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 94999-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	MATADOR CATTLE CO 9500 BLACKTAIL RD DILLON, MT 59725 9552
<b>Priority Date:</b>	MAY 23, 1898
Type of Historical Right	: FILED
<b>Purpose(use):</b>	IRRIGATION
Irrigation Type:	FLOOD
*Flow Rate:	
	NO FLOW RATE HAS BEEN DECREED FOR THIS USE OF UNCONTROLLED WASTE AND SEEPAGE.
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	: 5 - LOW
*Maximum Acres:	321.25
*Source Name:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BEAN CREEK
Source Type:	SURFACE WATER
*Source Name:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BEAR CREEK
Source Type:	SURFACE WATER
	THE SOURCE IS WASTE WATER COLLECTED IN NATURAL DRAINAGES USED AS COLLECTION DITCHES.
*Point of Diversion and N	Means of Diversion:
ID Govt I	
1 **	SWNESE 18 14S 3W BEAVERHEAD
*Source Name: Poriod of Divorcion	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF BEAR CREEK : APRIL 1 TO NOVEMBER 15
Diversion Means:	DITCH

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\*Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
2		SWNESW	18	14S	3W	BEAVERHEAD
*Source Na	me: WAST	E & SEEPAG	E, UNN	IAMED	TRIBL	JTARY OF BEAN CREEK
Period of 1	Diversion: APRIL	1 TO NOVEN	/BER 1	5		
Diversion	Means: DITCH	1				
3		SENWSW	18	14S	3W	BEAVERHEAD
*Source Na	me: WAST	WASTE & SEEPAGE, UNNAMED TRIBU				JTARY OF BEAN CREEK
Period of 1	Diversion: APRIL	1 TO NOVEN	/BER 1	5		
Diversion	Means: DITCH	ł				
4		SENESE	13	14S	4W	BEAVERHEAD
*Source Na	me: WAST	E & SEEPAG	E, UNN	IAMED	TRIBL	JTARY OF BEAN CREEK
Period of 1	Period of Diversion: APRIL 1 TO NOV			5		
Diversion	Means: DITCH	1				
Period of Use:	APRIL	1 TO NOVEM	IBER 1	5		

\*Place of Use:

<u>ID</u>	<u>Acres</u> Ge	ovt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	15.75		SWNW	17	14S	3W	BEAVERHEAD
2	8.00		NWSW	17	14S	3W	BEAVERHEAD
3	23.75		SENE	18	14S	3W	BEAVERHEAD
4	15.75		S2SWNE	18	14S	3W	BEAVERHEAD
5	0.50	1	S2NWNW	18	14S	3W	BEAVERHEAD
6	13.50		S2SENW	18	14S	3W	BEAVERHEAD
7	25.50	2	SWNW	18	14S	3W	BEAVERHEAD
8	40.00		NESE	18	14S	3W	BEAVERHEAD
9	40.00		NWSE	18	14S	3W	BEAVERHEAD
10	40.00		NESW	18	14S	3W	BEAVERHEAD
11	40.00	3	NWSW	18	14S	3W	BEAVERHEAD
12	14.25		SENE	13	14S	4W	BEAVERHEAD
13	4.25		SESWNE	13	14S	4W	BEAVERHEAD
14	40.00		NESE	13	14S	4W	BEAVERHEAD
Total:	321.25						

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 11/07/2012: MAXIMUM ACRES, PLACE OF USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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). 779-199 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

USDI AERIAL PHOTOGRAPH NO. CXM-3FF-129 , DATED 08/14/1965 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED. DNRC EXAMINATION WAS UNABLE TO CONFIRM THE USE OF THIS WATER RIGHT. IT APPEARS THIS WATER RIGHT MAY HAVE NOT BEEN PERFECTED.

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

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

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95000-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	MATADOR CATTLE CO 9500 BLACKTAIL RD DILLON, MT 59725 9552				
<b>Priority Date:</b>	MAY 23, 1898				
Type of Historical Righ	it: 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 RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 BEAN CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and	Means of Diversion:				
IDGovt1	LotQtr SecSecTwpRgeCountyNESENW1814S3WBEAVERHEAD				

Period of Diversion:

**Diversion Means:** DAM

<b>Reservoir:</b>	ONSTREAM	STREAM Reservoir Name: JONES BEAN CREEK #3					
:	<u>Govt Lot</u>	<u>Qtr Sec</u> NESENW	<u>Sec</u> 18	<u>Twp</u> 14S	<u>Rge</u> 3W	<u>County</u> BEAVERHEAD	
Diversio	n to Reservoir:	DIVERSI	ON # 1				
Dam He	ight:	13.00 l	FEET				
Depth:		10.00	FEET				
Surface	Area:	1.80	ACRES				
Capacity	7:	7.20	ACRE-F	EET			
	THE CAF DNRC.	PACITY, DA	M HEIG	iht, an	ND SU	IRFACE AREA HAVE BEEN ESTIMATED BY	
Period of Use:	MAY 1 T		BER 1				
Place of Use:							
<u>ID</u> <u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>	
1		SENW	18	14S	3W	BEAVERHEAD	

THE FOLLOWING 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95001-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	MATADOR CATTLE CO 9500 BLACKTAIL RD DILLON, MT 59725 9552					
<b>Priority Date:</b>	MAY 23, 1898					
Type of Historical Righ	it: 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 RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.					
*Source Name:	BEAN CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and Means of Diversion:						
<u>ID</u> <u>Govt</u>						
1	NENWNW 18 14S 3W BEAVERHEAD					
Period of Diversio	n:					

**Diversion Means:** DAM

Reser	voir: ONS	ONSTREAM Reservoir Name: JONES BEAN CREEK #2					
	<u>Govt L</u>	<u>ot</u>	<u>Qtr Sec</u> NENWNW	<u>Sec</u> 18	<u>Twp</u> 14S	<u>Rge</u> 3W	<u>County</u> BEAVERHEAD
Di	version to Re	servoir:	DIVERS	ION # 1			
Da	ım Height:		13.00	FEET			
De	epth:		10.00	FEET			
Su	rface Area:		1.30	ACRES			
Ca	apacity:		5.20	ACRE-F	EET		
		THE CA DNRC.	PACITY, D	AM HEIG	HT, AN	ID SU	RFACE AREA HAVE BEEN ESTIMATED BY
Period of U	se:	MAY 1 T	ΓΟ ΝΟΥΕΜ	BER 1			
*Place of Use	e:						
<u>ID</u>	<u>Acres Govt L</u>	<u>ot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	County
1			NENWNW	18	14S	3W	BEAVERHEAD

THE FOLLOWING 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 95002-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	MATADOR CATTLE CO 9500 BLACKTAIL RD DILLON, MT 59725 9552						
Priority Date:	MAY 21, 1900						
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:	140.00						
Source Name:	UNNAMED TRIBUTARY OF JONES CREEK						
Source Type:	SURFACE WATER						
	ALSO KNOWN AS WEST MUDD CREEK						
*Point of Diversion and N	Means of Diversion:						
$\frac{ID}{1}$ Govt I	Lot <u>Qtr Sec Sec Twp Rge</u> County SENWNE 17 14S 3W BEAVERHEAD						
•	: APRIL 1 TO NOVEMBER 15						
Diversion Means:	HEADGATE						
Period of Use:	APRIL 1 TO NOVEMBER 15						

#### Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1	20.00	NWSE	8	14S	3W BEAVERHEAD
2	35.00	SWSE	8	14S	3W BEAVERHEAD
3	23.00	NWNE	17	14S	3W BEAVERHEAD
4	40.00	NENW	17	14S	3W BEAVERHEAD
5	22.00	NWNW	17	14S	3W BEAVERHEAD
Total:	140.00				

#### 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.

94998-00 95002-00 95005-00 95007-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/12/2012: PLACE OF USE, MAXIMUM ACRES.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 95003-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	MATADOR CATTLE CO 9500 BLACKTAIL RD DILLON, MT 59725 9552					
<b>Priority Date:</b>	MARCH 9, 1908					
Type of Historical Righ	it: 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 RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 PEET CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and Means of Diversion:						
<u>ID</u> <u>Govt</u>						
1	NWSENW 27 14S 4W BEAVERHEAD					
Period of Diversion: JANUARY 1 TO DECEMBER 31						

Diversion Means: DAM

2

<b>Reservoir:</b>	ONSTREAM	Reservo	oir Name	: JONI	ES-RE	IS #1		
	<u>Govt Lot</u>	<u>Qtr Sec</u> NWSENW	<u>Sec</u> 27	<u>Twp</u> 14S	<u>Rge</u> 4W	<u>County</u> BEAVERHEAD		
Diversio	n to Reservoir:	DIVERS	ION # 1					
Dam He	ight:	6.00	FEET					
Depth:		6.00	FEET					
Surface	Area:	5.37	ACRES					
Capacity	7:	12.88	ACRE-F	EET				
	SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.							
Period of Use:	MAY 1 T	O NOVEM	BER 1					
*Place of Use:								
<u>ID</u> <u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	County		
1		NWSENW	27	14S	4W	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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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Water Right Number:	41A 95004-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	MATADOR CATTLE CO 9500 BLACKTAIL RD DILLON, MT 59725 9552						
<b>Priority Date:</b>	APRIL 29, 1910						
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 RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 PEET CREEK						
Source Type:	SURFACE WATER						
*Point of Diversion and Means of Diversion:							
<u>ID</u> <u>Govt</u>							
1	SENESW 14 14S 4W BEAVERHEAD						
	a: JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b>	DAM						
2	SWNWSW 14 14S 4W BEAVERHEAD						
Period of Diversion	I: JANUARY 1 TO DECEMBER 31						
<b>Diversion Means:</b>	LIVESTOCK DIRECT FROM SOURCE						

Re	servoir:	ONSTREAM	Reservoi	r Name:	: JONE	ES BE	AN CREEK #1
	<u>G</u>	bovt Lot	<u>Qtr Sec</u> SENESW	<u>Sec</u> 14	<u>Twp</u> 14S	<u>Rge</u> 4W	<u>County</u> BEAVERHEAD
	Diversion	to Reservoir:	DIVERSI	ON # 1			
	Dam Heig	ght:	13.00 F	FEET			
	Depth:		10.00	FEET			
	Surface A	rea:	2.60 /	ACRES			
	Capacity:	:	10.40	ACRE-F	EET		
		THE CA DNRC.	PACITY, DA	M HEIG	GHT, AN	ND SU	IRFACE AREA HAVE BEEN ESTIMATED BY
Period of	f Use:	MAY 1 T		BER 1			
Place of	Use:						
<u>ID</u>	Acres G	Fovt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	County
1			SENESW	14	14S	4W	BEAVERHEAD
2		:	SWNWSW	14	14S	4W	BEAVERHEAD

THE PERIOD OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 09/13/2012.

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

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

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

### **IMPORTANT NOTICE**

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Water Right Number:	41A 95005	5-00 ST	ATEME	ENT OF	CLAI	M
	Version:	1 ORI0	GINAL	RIGHT		
		Status:	AC	TIVE		
Owners:	MATADOR 9500 BLAC DILLON, M	KTAIL RI	C			
<b>Priority Date:</b>	DECEMBE	DECEMBER 2, 1910				
Type of Historical Right	: FILED					
Purpose(use):	IRRIGATIC	DN				
Irrigation Type:	FLOOD					
Flow Rate:	2.00 CFS					
*Volume:						RIGHT SHALL NOT EXCEED THE ENEFICIAL USE.
Climatic Area	:5 - LOW					
Maximum Acres:	375.00					
Source Name:	JONES CF	REEK				
Source Type:	SURF	FACE WA	TER			
*Point of Diversion and Means of Diversion:						
IDGovt 1		<u>Qtr Sec</u> ENENW	<u>Sec</u> 20	<u>Twp</u> 14S		<u>County</u> BEAVERHEAD
<b>Period of Diversior</b>	: APRIL 1 T		/IBER 1	5		
<b>Diversion Means:</b>	HEADGAT	E				
Period of Use:	APRIL 1 TO	O NOVEN	IBER 1	5		
Place of Use:						
ID <u>Acres Govt 1</u>	Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	County
1 47.00		W2SE	8	14S	3W	BEAVERHEAD
2 20.00		NWNE	17	14S	3W	BEAVERHEAD
3 63.00		N2NW	17	14S	3W	BEAVERHEAD

#### Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	<u>Twp</u>	<u>Rge</u> <u>County</u>
4	60.00	S2NW	17	14S	3W BEAVERHEAD
5	150.00	SW	17	14S	3W BEAVERHEAD
6	35.00	N2NW	20	14S	3W BEAVERHEAD
Total:	375.00				

#### 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.

94998-00 95002-00 95005-00 95007-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/12/2012: PLACE OF USE, MAXIMUM ACRES.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

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Water Right Number:	41A 95006	<b>5-00</b> ST	ATEME	ENT OF	CLAII	М
	Version:	1 ORI	GINAL	RIGHT		
		Status:	AC	TIVE		
Owners:	MATADOR CATTLE CO 9500 BLACKTAIL RD DILLON, MT 59725 9552					
Priority Date:	JUNE 1, 1910					
Type of Historical Right	FILED					
Purpose(use):	IRRIGATION					
Irrigation Type:	FLOOD					
Flow Rate:	314.50 GP	М				
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.					
Climatic Area:	: 5 - LOW					
Maximum Acres:	18.50					
Source Name:	UNNAMED	TRIBUT	ARY O	F PEET	CRE	EK
Source Type:	SURF	ACE WA	TER			
Point of Diversion and Means of Diversion:						
IDGovt I1Period of Diversion	SV	<u>Qtr Sec</u> VNWSE O NOVEN	<u>Sec</u> 14 //BER 1	<u>Twp</u> 14S 5		<u>County</u> BEAVERHEAD
<b>Diversion Means:</b>	HEADGAT	E				
Period of Use:	APRIL 1 TO	O NOVEN	IBER 1	5		
Place of Use:						
ID <u>Acres</u> Govt I	<u>.ot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1 18.50		N2SW	14	14S	4W	BEAVERHEAD
<b>Total:</b> 18.50						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/12/2012: PLACE OF USE, MAXIMUM ACRES, FLOW RATE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 95007-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	MATADOR CATTLE CO 9500 BLACKTAIL RD DILLON, MT 59725 9552				
Priority Date:	APRIL 29, 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:	375.00				
*Source Name:	JONES CREEK				
Source Type:	SURFACE WATER				
	ALSO KNOWN AS MUDD CREEK, WEST FORK				
*Point of Diversion and Means of Diversion:					
	Means of Diversion:				
$\underline{ID}_{1}$ <u>Govt</u>	Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u>				
1	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENENW 20 14S 3W BEAVERHEAD				
Period of Diversion	Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u>				

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	47.00	W2SE	8	14S	3W BEAVERHEAD
2	20.00	NWNE	17	14S	3W BEAVERHEAD
3	63.00	N2NW	17	14S	3W BEAVERHEAD
4	60.00	S2NW	17	14S	3W BEAVERHEAD
5	150.00	SW	17	14S	3W BEAVERHEAD
6	35.00	N2NW	20	14S	3W BEAVERHEAD
Total:	375.00				

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

94998-00 95002-00 95005-00 95007-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/12/2012: PLACE OF USE, MAXIMUM ACRES.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS 04/25 TO 10/05.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95007-00 Page 3 of 3

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 95008-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	MATADOR CATTLE CO 9500 BLACKTAIL RD DILLON, MT 59725 9552				
Priority Date:	SEPTEMBER 15, 1905				
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: 5 - LOW					
Maximum Acres:	100.00				
*Source Name:	UNNAMED TRIBUTARY OF PEET CREEK				
Source Type:	SURFACE WATER				
	ALSO KNOWN AS BEEBE CREEK				
Point of Diversion and Means of Diversion:					
$\frac{ID}{1}$ Govt I					
•	SESENE 28 14S 4W BEAVERHEAD : APRIL 1 TO NOVEMBER 15				
Diversion Means:	HEADGATE				
Period of Use:	APRIL 1 TO NOVEMBER 15				

Place of Use:								
ID	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>		
1	15.00	NWSE	21	14S	4W	BEAVERHEAD		
2	5.00	SESE	21	14S	4W	BEAVERHEAD		
3	20.00	SWSE	21	14S	4W	BEAVERHEAD		
4	15.00	NESW	21	14S	4W	BEAVERHEAD		
5	10.00	NWNW	27	14S	4W	BEAVERHEAD		
6	10.00	SWNW	27	14S	4W	BEAVERHEAD		
7	20.00	NENE	28	14S	4W	BEAVERHEAD		
8	5.00	SENE	28	14S	4W	BEAVERHEAD		
Total:	100.00							

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF THE PERIOD OF USE ISSUE.

THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING SEASON FOR THIS CLIMATIC AREA WHICH IS 04/25 TO 10/05.

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

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

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

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95009-00 STATEMENT OF CLAIM					
	Version: 2 POST DECREE					
	Status: DISMISSED					
Owners:	USA (DEPT OF INTERIOR FISH & WILDLIFE SERVICE) DENVER FEDERAL CENTER PO BOX 25486, MS #60189 DENVER, CO 80225 0486					
Priority Date:						
Enforceable Prie	ority Date:					
Type of Historical Right	t:					
Purpose (use):	STOCK					
Flow Rate:						
Volume:						
Source Name:	HELLROARING CREEK					
Point of Diversion and I	Means of Diversion:					
Period of Use:						
Place of Use:						

#### **Remarks:**

THIS CLAIM WAS DISMISSED PURSUANT TO ARTICLE V(B)(1) OF THE UNITED STATES FISH AND WILDLIFE SERVICE, RED ROCK LAKES-MONTANA COMPACT.

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

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95010-00 STATEMENT OF CLAIM					
	Version:	2 POST D	DECREE			
		Status:	DISMISSED			
Owners:	USA (DEPT DENVER FE PO BOX 25 DENVER, C	EDERAL CE 486, MS #60	)189			
Priority Date:						
Enforceable Prie	ority Date:					
Type of Historical Right	:					
Purpose (use):	IRRIGATIO	N				
Flow Rate:						
Volume:						
Source Name:	HELLROAR		< compared with the second sec			
Point of Diversion and I	Means of Dive	rsion:				
Period of Use:						
Place of Use:						

#### **Remarks:**

THIS CLAIM WAS DISMISSED PURSUANT TO ARTICLE V(B)(1) OF THE UNITED STATES FISH AND WILDLIFE SERVICE, RED ROCK LAKES-MONTANA COMPACT.

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

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95011-00       STATEMENT OF CLAIM         Version:       1 ORIGINAL RIGHT         Status:       ACTIVE
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
Priority Date:	SEPTEMBER 15, 1871
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:	4,497.00
*Source Name: Source Type:	UNNAMED TRIBUTARY OF MAIDEN CREEK SURFACE WATER
*Source Name: Source Type:	MAIDEN CREEK SURFACE WATER
*Source Name: Source Type:	MAIDEN CREEK, SOUTH FORK SURFACE WATER
*Source Name: Source Type:	HORSE PRAIRIE CREEK SURFACE WATER

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\*Point of Diversion and Means of Diversion:

ID	Govt L		Qtr Sec	Sec	Twp	Rge	County	
1	00112		SENENW	31	9S		BEAVERHEAD	
Source Nan	ne:	HORSE	PRAIRIE C	REEK				
Period of D	iversion:	APRIL 1	APRIL 1 TO OCTOBER 31					
<b>Diversion</b> N	Ieans:	HEADG	ATE					
2			NWSENW	31	9S	11W	BEAVERHEAD	
Source Nan	ne:	HORSE	PRAIRIE C	REEK				
Period of D	iversion:	APRIL 1	то остов	BER 31				
<b>Diversion</b> N	Ieans:	HEADG	ATE					
3			NESESE	31	9S	11W	BEAVERHEAD	
Source Nan	ne:	HORSE	PRAIRIE C	REEK				
Period of D	iversion:	APRIL 1	то остов	BER 31				
<b>Diversion</b> N	Ieans:	HEADG	ATE					
4			SWSESE	32	9S	11W	BEAVERHEAD	
Source Nan	ne:	HORSE	PRAIRIE C	REEK				
Period of D		APRIL 1	то остов	BER 31				
Diversion N		HEADG						
5			NENWSW	32	9S	11W	BEAVERHEAD	
Source Nan	ne:	HORSE	PRAIRIE C	REEK				
Period of D	iversion:	APRIL 1	то остов	BER 31				
<b>Diversion</b> M	Ieans:	HEADG	ATE					
6			SESESW	32	9S	11W	BEAVERHEAD	
Source Nan	ne:	HORSE	PRAIRIE C	REEK				
Period of D	iversion:	APRIL 1	то остов	BER 31				
<b>Diversion</b> N	Ieans:	HEADG	ATE					
7		5	SWSWSW	33	9S	11W	BEAVERHEAD	
Source Nan	ne:	HORSE	PRAIRIE C	REEK				
Period of D	iversion:	APRIL 1	то остов	BER 31				
<b>Diversion</b> M	leans:	HEADG	ATE					
8			SESWSW	25	9S	12W	BEAVERHEAD	
Source Nan	ne:	HORSE	PRAIRIE C	REEK				
Period of D	iversion:	APRIL 1	то остов	BER 31				
<b>Diversion</b> N	Ieans:	HEADG	ATE					
9			NENESW	27	9S	12W	BEAVERHEAD	
Source Nan	ne:	HORSE	PRAIRIE C	REEK				
Period of D	iversion:	APRIL 1	то остов	BER 31				
<b>Diversion</b> N	leans:	HEADG	ATE					
Ditch Name	:	COMPA	NY DITCH					
10			NESENE	36	9S	12W	BEAVERHEAD	
Source Nan	ne:	HORSE	PRAIRIE C	REEK				
Period of D	iversion:	APRIL 1	ТО ОСТОВ	BER 31				
<b>Diversion</b> M	leans:	HEADG	ATE					
11		I	NWSENW	36	9S	12W	BEAVERHEAD	
Source Nan	ne:	HORSE	PRAIRIE C	REEK				
Period of D	iversion:	APRIL 1	TO OCTOR	BER 31				
<b>Diversion</b> N	leans:	HEADG	ATE					

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\*Point of Diversion and Means of Diversion: ID **Govt Lot** Otr Sec Sec Twp **<u>Rge</u>** <u>County</u> 12 NWNESE 36 9S 12W BEAVERHEAD HORSE PRAIRIE CREEK Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 13 SWSWSW 26 9S 13W BEAVERHEAD Source Name: HORSE PRAIRIE CREEK Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE HORSE PRAIRIE CREEK DUNLAP SPLIT DITCH **Ditch Name:** 14 NESENE 10S 11W BEAVERHEAD 9 Source Name: HORSE PRAIRIE CREEK Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 15 NWNWSW 10 10S 11W BEAVERHEAD HORSE PRAIRIE CREEK Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 16 SENWSW 20 11S 13W BEAVERHEAD MAIDEN CREEK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE NWSESW 11S 13W BEAVERHEAD 17 20 MAIDEN CREEK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 HEADGATE **Diversion Means:** 18 SWSESW 20 11S 13W BEAVERHEAD MAIDEN CREEK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 19 NESESW 28 11S 13W BEAVERHEAD MAIDEN CREEK, SOUTH FORK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 20 NENWNE 29 11S 13W BEAVERHEAD MAIDEN CREEK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 21 NESWNE 29 11S 13W BEAVERHEAD \*Source Name: UNNAMED TRIBUTARY OF MAIDEN CREEK Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE NESWSE 11S 13W BEAVERHEAD 22 31 HORSE PRAIRIE CREEK Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 HEADGATE **Diversion Means:** 

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\*Point of Diversion and Means of Diversion:

<u>ID</u> <u>Govt L</u>	<u>ot Qtr Sec Sec Twp Rge County</u>
23	SENESE 13 11S 14W BEAVERHEAD
*Source Name:	MAIDEN CREEK
Period of Diversion:	: APRIL 1 TO OCTOBER 31
<b>Diversion Means:</b>	HEADGATE
24	NWSWNW 5 12S 13W BEAVERHEAD
Source Name:	HORSE PRAIRIE CREEK
Period of Diversion:	: APRIL 1 TO OCTOBER 31
<b>Diversion Means:</b>	HEADGATE
	THE COMPANY DITCH CONVEYING WATER FROM A POINT OF DIVERSION IN NENESW OF SECTION 27 T9S R12W FLOWS INTO THE PAIMENT DITCH IN THE NWNW OF SECTION 01 T10S R12W.
	WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).
	WATER DIVERTED FROM HORSE PRAIRIE CREEK IS CONVEYED TO AN UNNAMED TRIBUTARY OF HORSE PRAIRIE CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION IN THE NE OF SECTION 05 T10S R11W, BEAVERHEAD COUNTY.
	THE POINT OF DIVERSION IN NWSWNW SEC 5 T12S R13W, BEAVERHEAD COUNTY, IS ON UNITED STATES FOREST SERVICE LAND.
	THE POINT OF DIVERSION IN NESESW SEC 28 T11S R13WM BEAVERHEAD COUNTY, IS ON STATE OF MONTANA LAND.
	PIERCE DITCH AND HANS PETERSON DITCH SHARE THE SAME POINT OF DIVERSION.
	THE POINT OF DIVERSION IN SECTION 27 T9S R12W (COMPANY DITCH) FALLS ON THE LINE IN TWO OUT OF THE THREE QUARTER SECTIONS. FOR DATABASE PURPOSES AND CONSISTENCY, THE LEGAL DESCRIPTION WILL BE THE NENESW QUARTER OF SECTION 27 T9S R12W.
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>	Twp	<u>Rge</u>	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
4	595.00		31	9S	11W	BEAVERHEAD
5	83.00	S2N2	32	9S	11W	BEAVERHEAD
6	255.00	S2	32	9S	11W	BEAVERHEAD
7	130.00	N2	33	9S	11W	BEAVERHEAD
8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD

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Place of Use:

I lace of	л Озс.					
<u>ID</u>	<u>Acres</u> Govt L	ot <u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
11	571.00		4	10S	11W	BEAVERHEAD
12	544.00		5	10S	11W	BEAVERHEAD
13	278.00	N2	6	10S	11W	BEAVERHEAD
14	17.00	NESE	6	10S	11W	BEAVERHEAD
15	3.00	N2NWSE	6	10S	11W	BEAVERHEAD
16	189.00	N2	9	10S	11W	BEAVERHEAD
17	45.00	E2SE	9	10S	11W	BEAVERHEAD
18	3.00	E2NWSE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2N2	10	10S	11W	BEAVERHEAD
20	71.00	W2SW	10	10S	11W	BEAVERHEAD
21	81.00	NE	1	10S	12W	BEAVERHEAD
22	45.00	S2SW	18	11S	13W	BEAVERHEAD
23	268.00	N2	19	11S	13W	BEAVERHEAD
24	89.00	N2S2	19	11S	13W	BEAVERHEAD
25	15.00	SWNW	20	11S	13W	BEAVERHEAD
26	36.00	NWSW	20	11S	13W	BEAVERHEAD
27	35.00	S2SW	20	11S	13W	BEAVERHEAD
28	20.00	SENE	29	11S	13W	BEAVERHEAD
29	6.00	N2NENW	29	11S	13W	BEAVERHEAD
30	112.00	SW	30	11S	13W	BEAVERHEAD
31	2.00	SWNWNE	31	11S	13W	BEAVERHEAD
32	86.00	NW	31	11S	13W	BEAVERHEAD
33	29.00	W2SE	31	11S	13W	BEAVERHEAD
34	27.00	NESW	31	11S	13W	BEAVERHEAD
35	112.00	SE	13	11S	14W	BEAVERHEAD
36	53.00	E2SW	13	11S	14W	BEAVERHEAD
37	106.00	NE	24	11S	14W	BEAVERHEAD
38	1.00	NENENW	24	11S	14W	BEAVERHEAD
39	8.00	N2NESE	24	11S	14W	BEAVERHEAD
T-4-1.	4 407 00					

Total: 4,497.00

AN AFFIDAVIT WAS RECEIVED SEPTEMBER 26, 2002 FROM BUSTER BROWN. THE AFFIDAVIT DESCRIBES HISTORICAL IRRIGATION PRACTICES ON THE LC RANCH AND THE L DIAMOND RANCH. THE PLACES OF USE ARE SEVERAL MILES APART.

#### Remarks:

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

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 9/26/2002: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/01/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

AN AFFIDAVIT WAS RECEIVED JANUARY 9, 2007 FROM WATER COMMISSIONER TOM PIERCE. THE AFFIDAVIT DESCRIBES THE DISTRIBUTION OF TWO WATER RIGHTS CLAIMING 105 M.I. WITH A PRIORITY DATE OF SEPTEMBER 15, 1871.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS BACK INTO HORSE PRAIRIE CREEK.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 WHETHER ONE OR TWO RIGHTS EXIST FOR 105 M.I. CLAIMED FROM MEDICINE LODGE CREEK AND HORSE PRAIRIE CREEK. TWO RIGHTS CLAIM 105 M.I. AND A PRIORITY DATE OF SEPTEMBER 15, 1871. THIS RIGHT CLAIMS THE SOURCE AS HORSE PRAIRIE CREEK; WATER RIGHT 41A 95023-00 CLAIMS MEDICINE LODGE CREEK. SEVERAL DECREES ARE INVOLVED WHICH ARE NOTED IN A MEMO TO THE FILE.

THIS CLAIM APPEARS TO DIVERT WATER FROM FOUR SEPARATE SOURCES. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

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

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

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

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95012-00 STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT Status: ACTIVE			
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
Priority Date:	OCTOBER 15, 1884			
Type of Historical Right	: DECREED			
Purpose(use):	IRRIGATION			
Irrigation Type:	FLOOD			
Flow Rate:	6.78 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:	751.00			
Source Name:	DUNLAP CREEK			
Source Type:	SURFACE WATER			
Point of Diversion and N	Means of Diversion:			
IDGovt I1Period of DiversionDiversion Means:Ditch Name:	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWSWNE 22 9S 12W BEAVERHEAD : APRIL 1 TO OCTOBER 31 HEADGATE JAGGER DITCH			
Period of Use:	APRIL 1 TO OCTOBER 31			

MAY 9, 2013 41A 95012-00 Page 2 of 3

*Place of Use:								
<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>		
1	1.00	NW	30	9S	11W	BEAVERHEAD		
2	1.00	SWSE	30	9S	11W	BEAVERHEAD		
3	127.00	SW	30	9S	11W	BEAVERHEAD		
4	122.00	N2	31	9S	11W	BEAVERHEAD		
5	4.00	NESE	31	9S	11W	BEAVERHEAD		
6	80.00	S2N2	32	9S	11W	BEAVERHEAD		
7	65.00	N2S2	32	9S	11W	BEAVERHEAD		
8	128.00	N2	33	9S	11W	BEAVERHEAD		
9	137.00	S2	33	9S	11W	BEAVERHEAD		
10	86.00	E2	25	9S	12W	BEAVERHEAD		
Total:	751.00							

#### 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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
55011.00	33012 00	55015 00	55014 00	55015 00	55010 00	55017 00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/31/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/15/2007: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 02/20/2003.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS BACK INTO HORSE PRAIRIE CREEK.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

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

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95013-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
Priority Date:	AUGUST 1, 1886				
Type of Historical Right	: DECREED				
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:	3,447.00				
Source Name:	HORSE PRAIRIE CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and M	Means of Diversion:				
<u>ID</u> <u>Govt I</u>					
1	SENENW 31 9S 11W BEAVERHEAD				
	: APRIL 1 TO OCTOBER 31				
<b>Diversion Means:</b>	HEADGATE				
2	NWSENW 31 9S 11W BEAVERHEAD				
	: APRIL 1 TO OCTOBER 31				
<b>Diversion Means:</b>	HEADGATE				

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\*Point of Diversion and Means of Diversion:

		C	T	ъ	
<u>ID</u> 3 <u>Govt L</u>	ot <u>Qtr Sec</u> NESESE	<u>Sec</u> 31			<u>County</u> BEAVERHEAD
	APRIL 1 TO OCTOE		90	1 1 7 7	BEAVENIERD
	HEADGATE				
4	SWSESE	32	08	1 1 \ \ /	BEAVERHEAD
•	APRIL 1 TO OCTOE		93	1100	BEAVERHEAD
Diversion Means:		DER 31			
	NENWSW	22	08	1 1 \ \ /	
5	APRIL 1 TO OCTOE	32	93	1100	BEAVERHEAD
	HEADGATE	ER 31			
_	-	22	00	4 4 \ \ \ /	
6		32	95	1100	BEAVERHEAD
	APRIL 1 TO OCTOE	SER 31			
<b>Diversion Means:</b>		00	~~	4 4 1 4 1	
7	SWSWSW	33	95	1100	BEAVERHEAD
	APRIL 1 TO OCTOB	3ER 31			
<b>Diversion Means:</b>	HEADGATE	05	~~~	40144	
8	SESWSW	25	95	1200	BEAVERHEAD
	APRIL 1 TO OCTOE	3ER 31			
<b>Diversion Means:</b>	HEADGATE				
9	NWNESW	27	9S	12W	BEAVERHEAD
	APRIL 1 TO OCTOE	BER 31			
Diversion Means:	HEADGATE				
	COMPANY DITCH				
10	NESENE	36	9S	12W	BEAVERHEAD
	APRIL 1 TO OCTOE	BER 31			
<b>Diversion Means:</b>	HEADGATE				
11	NWSENW	36	9S	12W	BEAVERHEAD
	APRIL 1 TO OCTOE	BER 31			
<b>Diversion Means:</b>	HEADGATE				
12	NWNESE	36	9S	12W	BEAVERHEAD
	APRIL 1 TO OCTOE	BER 31			
<b>Diversion Means:</b>	HEADGATE				
13	SWSWSW	26	9S	13W	BEAVERHEAD
Period of Diversion:	APRIL 1 TO OCTOE	BER 31			
<b>Diversion Means:</b>	HEADGATE				
Ditch Name:	HORSE PRAIRIE CI	REEK D	UNLA	P SPL	IT DITCH
14	NESENE	9	10S	11W	BEAVERHEAD
Period of Diversion:	APRIL 1 TO OCTOE	BER 31			
<b>Diversion Means:</b>	HEADGATE				
15	NWNWSW	10	10S	11W	BEAVERHEAD
Period of Diversion:	APRIL 1 TO OCTOE	BER 31			
<b>Diversion Means:</b>	HEADGATE				
		PAIMEN			ERSION NWNESW SECTION 27 T9S R12W) THE NWNW OF SECTION 01 T10S R12W,

WATER DIVERTED FROM HORSE PRAIRIE CREEK IS CONVEYED TO AN UNNAMED TRIBUTARY OF HORSE PRAIRIE CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION IN THE NE OF SECTION 05 T10S R11W, BEAVERHEAD COUNTY.

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26, T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH IN THE SWNESW OF SECTION 26 T9S R13W, BEAVERHEAD COUNTY AND 2) JAGGER DITCH IN THE NWSWNE OF SECTION 22 T9S R12W, BEAVERHEAD COUNTY.

PIERCE DITCH AND HANS PETERSON DITCH SHARE THE SAME POINT OF DIVERSION.

THE POINT OF DIVERSION IN SECTION 27 T9S R12W (COMPANY DITCH) FALLS ON THE LINE IN TWO OUT OF THE THREE QUARTER SECTIONS. FOR DATABASE PURPOSES AND CONSISTENCY, THE LEGAL DESCRIPTION WILL BE THE NENESW QUARTER OF SECTION 27 T9S R12W.

Period of Use: APRIL 1 TO OCTOBER 31

#### Place of Use:

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
4	595.00		31	9S	11W	BEAVERHEAD
5	83.00	S2N2	32	9S	11W	BEAVERHEAD
6	255.00	S2	32	9S	11W	BEAVERHEAD
7	130.00	N2	33	9S	11W	BEAVERHEAD
8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD
12	544.00		5	10S	11W	BEAVERHEAD
13	278.00	N2	6	10S	11W	BEAVERHEAD
14	17.00	NESE	6	10S	11W	BEAVERHEAD
15	3.00	N2NWSE	6	10S	11W	BEAVERHEAD
16	189.00	N2	9	10S	11W	BEAVERHEAD
17	45.00	E2SE	9	10S	11W	BEAVERHEAD
18	3.00	E2NWSE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2N2	10	10S	11W	BEAVERHEAD
20	71.00	W2SW	10	10S	11W	BEAVERHEAD
21	81.00	NE	1	10S	12W	BEAVERHEAD
Total:	3,447.00					

#### 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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS BACK INTO HORSE PRAIRIE CREEK.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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 EXCEED THE DITCH CAPACITY. THE HISTORIC COURT DECREE (CASE 1292) SPECIFIES THE DITCH CAPACITY AS 117 MINER'S INCHES AND 134 MINER'S INCHES FOR DITCHES NO. 6 AND NO. 7, RESPECTIVELY. THIS CLAIMED APPROPRIATION OF 280 INCHES EXCEEDS THE COMBINED DITCH CAPACITY OF 251 INCHES. SEE FILE FOR ADDITIONAL INFORMATION (DNRC MEMORANDUM APRIL 2007).

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95014-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT Status: ACTIVE				
	Status: ACTIVE				
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
Priority Date:	JUNE 1, 1899				
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:	3,447.00				
Source Name:	HORSE PRAIRIE CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and N	Means of Diversion:				
<u>ID</u> <u>Govt I</u>					
1	SENENW 31 9S 11W BEAVERHEAD				
	: APRIL 1 TO OCTOBER 31				
<b>Diversion Means:</b>	HEADGATE				
2	NWSENW 31 9S 11W BEAVERHEAD				
	: APRIL 1 TO OCTOBER 31				
<b>Diversion Means:</b>	HEADGATE				

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\*Point of Diversion and Means of Diversion:

Point of Diversion and M		C	<b>T</b>	<b>D</b>	Course for
<u>ID</u> 3 <u>Govt L</u>	ot <u>Qtr Sec</u> NESESE	<u>Sec</u> 31			<u>County</u> BEAVERHEAD
	APRIL 1 TO OCTOB	•	30	1 1 7 7	
Diversion Means:					
4		32	20	11\//	BEAVERHEAD
•	APRIL 1 TO OCTOB		50	1 1 4 4	DEAVERIEAD
Diversion Means:					
5	NENWSW	32	20	11\//	BEAVERHEAD
	APRIL 1 TO OCTOB		30	1 1 7 7	
	HEADGATE				
6	SESESW	30	20	11\//	BEAVERHEAD
-	APRIL 1 TO OCTOB		90	1 1 7 7	BEAVERIEAD
	HEADGATE	EK 31			
7	SWSWSW	22	00	4 4 \ \ \ /	
•	APRIL 1 TO OCTOB	33	93	1100	BEAVERHEAD
Diversion Means:	HEADGATE	EK 31			
		25	00	1014/	
8 Danied of Dimensione	SESWSW APRIL 1 TO OCTOB	25	93	1200	BEAVERHEAD
Diversion Means:		ER 31			
9	NENESW	07	00	40144	
-		27	93	1200	BEAVERHEAD
	APRIL 1 TO OCTOB HEADGATE	ERSI			
	COMPANY DITCH				
10	NESENE	36	08	10\//	BEAVERHEAD
-	APRIL 1 TO OCTOB		93	1200	BEAVERNEAD
Diversion Means:		ERSI			
	NWSENW	26	00	1014/	BEAVERHEAD
11 Danied of Dimensione		36	93	1200	BEAVERNEAD
Diversion Means:	APRIL 1 TO OCTOB	ER 31			
		26	00	1014/	
12	NWNESE	36	95	1200	BEAVERHEAD
	APRIL 1 TO OCTOB	ER 31			
Diversion Means:		00	00	40144	
13 Decision of Direction	SWSWSW	26	95	1300	BEAVERHEAD
	APRIL 1 TO OCTOB	ER 31			
Diversion Means:	HEADGATE HORSE PRAIRIE CI	סבבע ר		ם פסו	
Ditch Name:					BEAVERHEAD
14		9	105	1100	BEAVERNEAD
	APRIL 1 TO OCTOB	ER 31			
Diversion Means:	HEADGATE	40	400	4 4 1 4 1	
15	NWNWSW		105	1100	BEAVERHEAD
	APRIL 1 TO OCTOB	ER 31			
<b>Diversion Means:</b>	HEADGATE				
	UNNAMED TRIBUT/	ARY OF	HOR	SE PR	AIRIE CREEK IS CONVEYED TO AN AIRIE CREEK WHICH IS USED AS A DARY POINTS OF DIVERSION IN THE NE OF
	SECTION 05 T10S F				

THE COMPANY DITCH CONVEYING WATER FROM A POINT OF DIVERSION IN NENESW OF SECTION 27 T9S R12W FLOWS INTO THE PAIMENT DITCH IN THE NWNW OF SECTION 01 T10S R12W.

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).

PIERCE DITCH AND HANS PETERSON DITCH SHARE THE SAME POINT OF DIVERSION.

THE POINT OF DIVERSION IN SECTION 27 T9S R12W (COMPANY DITCH) FALLS ON THE LINE IN TWO OUT OF THE THREE QUARTER SECTIONS. FOR DATABASE PURPOSES AND CONSISTENCY, THE LEGAL DESCRIPTION WILL BE THE NENESW QUARTER OF SECTION 27 T9S R12W.

Period of Use: APRIL 1 TO OCTOBER 31

#### **Place of Use:**

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
4	595.00		31	9S	11W	BEAVERHEAD
5	83.00	S2N2	32	9S	11W	BEAVERHEAD
6	255.00	S2	32	9S	11W	BEAVERHEAD
7	130.00	N2	33	9S	11W	BEAVERHEAD
8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD
12	544.00		5	10S	11W	BEAVERHEAD
13	278.00	N2	6	10S	11W	BEAVERHEAD
14	17.00	NESE	6	10S	11W	BEAVERHEAD
15	3.00	N2NWSE	6	10S	11W	BEAVERHEAD
16	189.00	N2	9	10S	11W	BEAVERHEAD
17	45.00	E2SE	9	10S	11W	BEAVERHEAD
18	3.00	E2NWSE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2N2	10	10S	11W	BEAVERHEAD
20	71.00	W2SW	10	10S	11W	BEAVERHEAD
21	81.00	NE	1	10S	12W	BEAVERHEAD
Total:	3,447.00					

#### 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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK IS FED BY UNNAMED TRIBUTARIES AND FLOWS INTO HORSE PRAIRIE CREEK AGAIN.

SEE CLAIM EXAMINATION WORKSHEET FOR INFORMATION REGARDING PRIORITY DATE AND SOURCE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95014-00 Page 5 of 5

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

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95015-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
Priority Date:	JUNE 1, 1893					
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:	3,447.00					
Source Name:	HORSE PRAIRIE CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and M	Means of Diversion:					
ID Govt 1	Lot <u>Qtr Sec Sec Twp Rge County</u>					
1	SENENW 31 9S 11W BEAVERHEAD					
	: APRIL 1 TO OCTOBER 31					
<b>Diversion Means:</b>	HEADGATE					
2	NWSENW 31 9S 11W BEAVERHEAD					
	: APRIL 1 TO OCTOBER 31					
<b>Diversion Means:</b>	HEADGATE					

MAY 9, 2013 41A 95015-00 Page 2 of 5

\*Point of Diversion and Means of Diversion:

To Diversion and M		<b>G</b>	<b>T</b>	<b>D</b>	Course for
<u>ID</u> 3 <u>Govt L</u>	ot <u>Qtr Sec</u> NESESE	<u>Sec</u> 31			<u>County</u> BEAVERHEAD
	APRIL 1 TO OCTOB	•	30	1 1 7 7	
Diversion Means:					
4	-	32	95	11\//	BEAVERHEAD
•	APRIL 1 TO OCTOB		50	1 1 7 7	DEAVERIEAD
Diversion Means:					
5	SESESW	32	20	11\//	BEAVERHEAD
	APRIL 1 TO OCTOB		50	1 1 7 7	DEAVERIEAD
	HEADGATE				
6	NESWSW	30	20	11\\/	BEAVERHEAD
-	APRIL 1 TO OCTOB		90	1100	BEAVERIEAD
	HEADGATE	ER 31			
		00	00	4 4 1 4 1	
7	SWSWSW	33	95	1100	BEAVERHEAD
	APRIL 1 TO OCTOB	SER 31			
Diversion Means:	HEADGATE	05	~~	4014	
8	SESWSW	25	95	1200	BEAVERHEAD
	APRIL 1 TO OCTOB	SER 31			
<b>Diversion Means:</b>	-				
9	NENESW	27	9S	12W	BEAVERHEAD
	APRIL 1 TO OCTOB	SER 31			
	HEADGATE				
	COMPANY DITCH				
10	NESENE	36	9S	12W	BEAVERHEAD
	APRIL 1 TO OCTOB	SER 31			
<b>Diversion Means:</b>	HEADGATE				
11	NWSENW	36	9S	12W	BEAVERHEAD
	APRIL 1 TO OCTOB	SER 31			
<b>Diversion Means:</b>	HEADGATE				
12	NWNESE	36	9S	12W	BEAVERHEAD
	APRIL 1 TO OCTOB	SER 31			
<b>Diversion Means:</b>	HEADGATE				
13	SWSWSW	26	9S	13W	BEAVERHEAD
Period of Diversion:	APRIL 1 TO OCTOB	SER 31			
<b>Diversion Means:</b>	HEADGATE				
Ditch Name:	HORSE PRAIRIE CI	REEK D	UNLA	P SPL	IT DITCH
14	NESENE	9	10S	11W	BEAVERHEAD
Period of Diversion:	APRIL 1 TO OCTOB	ER 31			
<b>Diversion Means:</b>	HEADGATE				
15	NWNWSW	10	10S	11W	BEAVERHEAD
<b>Period of Diversion:</b>	APRIL 1 TO OCTOB	ER 31			
<b>Diversion Means:</b>	HEADGATE				
	UNNAMED TRIBUT/	ARY OF R TO TV	HORS	SE PR COND	AIRIE CREEK IS CONVEYED TO AN AIRIE CREEK WHICH IS USED AS A DARY POINTS OF DIVERSION IN THE NE OF AD COUNTY.

THE COMPANY DITCH CONVEYING WATER FROM A POINT OF DIVERSION IN NENESW OF SECTION 27 T9S R12W FLOWS INTO THE PAIMENT DITCH IN THE NWNW OF SECTION 01 T10S R12W.

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).

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Period of Use: APRIL 1 TO OCTOBER 31

#### **Place of Use:**

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
4	595.00		31	9S	11W	BEAVERHEAD
5	83.00	S2N2	32	9S	11W	BEAVERHEAD
6	255.00	S2	32	9S	11W	BEAVERHEAD
7	130.00	N2	33	9S	11W	BEAVERHEAD
8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD
12	544.00		5	10S	11W	BEAVERHEAD
13	278.00	N2	6	10S	11W	BEAVERHEAD
14	17.00	NESE	6	10S	11W	BEAVERHEAD
15	3.00	N2NWSE	6	10S	11W	BEAVERHEAD
16	189.00	N2	9	10S	11W	BEAVERHEAD
17	45.00	E2SE	9	10S	11W	BEAVERHEAD
18	3.00	E2NWSE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2N2	10	10S	11W	BEAVERHEAD
20	71.00	W2SW	10	10S	11W	BEAVERHEAD
21	81.00	NE	1	10S	12W	BEAVERHEAD
Total:	3,447.00					

#### Remarks:

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95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

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STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95015-00 Page 5 of 5

> SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 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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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	<b>41A 95016-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT						
	Version: 1 ORIGINAL RIGHT Status: ACTIVE						
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624						
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624						
Priority Date:	JUNE 1, 1893						
Type of Historical Right	: DECREED						
Purpose(use):	IRRIGATION						
Irrigation Type:	FLOOD						
Flow Rate:	4.55 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:	3,447.00						
Source Name:	HORSE PRAIRIE CREEK						
Source Type:	SURFACE WATER						
*Point of Diversion and M	Means of Diversion:						
<u>ID</u> <u>Govt I</u>							
1	SENENW 31 9S 11W BEAVERHEAD						
	: APRIL 1 TO OCTOBER 31						
Diversion Means:	HEADGATE NWSENW 31 9S 11W BEAVERHEAD						
2 Pariad of Diversion	: APRIL 1 TO OCTOBER 31						
Diversion Means:	HEADGATE						

MAY 9, 2013 41A 95016-00 Page 2 of 5

\*Point of Diversion and Means of Diversion:

Point of Diversion a			a	æ	n	<b>G</b> (		
$\frac{\text{ID}}{3}$ $\frac{\text{Ge}}{3}$	<u>ovt Lot</u>	<u>Qtr Sec</u> NESESE	<u>Sec</u> 31			<u>County</u> BEAVERHEAD		
			• •	93	1100	DEAVERNEAD		
Period of Diversion: APRIL 1 TO OCTOBER 31 Diversion Means: HEADGATE								
			22	00	4 4 1 4 /			
4	-			95	1100	BEAVERHEAD		
	sion: APRIL 1 T		ER 31					
Diversion Mean								
5				95	11VV	BEAVERHEAD		
	sion: APRIL 1 T		ER 31					
<b>Diversion Mean</b>								
6				9S	11W	BEAVERHEAD		
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31					
Diversion Mean	ns: HEADGA	ΓE						
7	SV	VSWSW	33	9S	11W	BEAVERHEAD		
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31					
<b>Diversion Mean</b>	ns: HEADGA	ΓE						
8	SI	ESWSW	25	9S	12W	BEAVERHEAD		
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31					
<b>Diversion Mean</b>	ns: HEADGA <sup>-</sup>	ГЕ						
9	N	ENESW	27	9S	12W	BEAVERHEAD		
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31					
<b>Diversion Mean</b>	ns: HEADGA <sup>-</sup>	ГЕ						
Ditch Name:	COMPAN	Y DITCH						
10	1	NESENE	36	9S	12W	BEAVERHEAD		
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31					
<b>Diversion Mean</b>	ns: HEADGA <sup>-</sup>	ГЕ						
11	N	NSENW	36	9S	12W	BEAVERHEAD		
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31					
<b>Diversion Mean</b>	s: HEADGA	ГЕ						
12	Ν	WNESE	36	9S	12W	BEAVERHEAD		
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31					
<b>Diversion Mean</b>	s: HEADGA	ГЕ						
13		VSWSW	26	9S	13W	BEAVERHEAD		
	sion: APRIL 1 T	О ОСТОВ	ER 31					
Diversion Mean								
Ditch Name:	HORSE P	RAIRIE CI	REEK D	UNLA	P SPL	IT DITCH		
14	1	VESENE	9	10S	11W	BEAVERHEAD		
	sion: APRIL 1 T							
Diversion Mean			21101					
15		VNWSW	10	105	11\//	BEAVERHEAD		
	sion: APRIL 1 T			100				
Diversion Mean								
						IRIE CREEK IS CON AIRIE CREEK WHIC		
	•••••						VERSION IN THE NE OF	
						D COUNTY.	-	

THE COMPANY DITCH CONVEYING WATER FROM A POINT OF DIVERSION IN NENESW OF SECTION 27 T9S R12W FLOWS INTO THE PAIMENT DITCH IN THE NWNW OF SECTION 01 T10S R12W.

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).

PIERCE DITCH AND HANS PETERSON DITCH SHARE THE SAME POINT OF DIVERSION.

THE POINT OF DIVERSION IN SECTION 27 T9S R12W (COMPANY DITCH) FALLS ON THE LINE IN TWO OUT OF THE THREE QUARTER SECTIONS. FOR DATABASE PURPOSES AND CONSISTENCY, THE LEGAL DESCRIPTION WILL BE THE NENESW QUARTER OF SECTION 27 T9S R12W.

Period of Use: APRIL 1 TO OCTOBER 31

#### **Place of Use:**

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
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6	255.00	S2	32	9S	11W	BEAVERHEAD
7	130.00	N2	33	9S	11W	BEAVERHEAD
8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD
12	544.00		5	10S	11W	BEAVERHEAD
13	278.00	N2	6	10S	11W	BEAVERHEAD
14	17.00	NESE	6	10S	11W	BEAVERHEAD
15	3.00	N2NWSE	6	10S	11W	BEAVERHEAD
16	189.00	N2	9	10S	11W	BEAVERHEAD
17	45.00	E2SE	9	10S	11W	BEAVERHEAD
18	3.00	E2NWSE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2N2	10	10S	11W	BEAVERHEAD
20	71.00	W2SW	10	10S	11W	BEAVERHEAD
21	81.00	NE	1	10S	12W	BEAVERHEAD
Total:	3,447.00					

#### 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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK IS FED BY UNNAMED TRIBUTARIES AND FLOWS INTO HORSE PRAIRIE CREEK AGAIN.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95016-00 Page 5 of 5

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

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95017-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT Status: ACTIVE						
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624						
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624						
Priority Date:	SEPTEMBER 21, 1901						
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:	3,447.00						
Source Name:	HORSE PRAIRIE CREEK						
Source Type:	SURFACE WATER						
*Point of Diversion and M	Means of Diversion:						
<u>ID</u> <u>Govt I</u>							
1	SENENW 31 9S 11W BEAVERHEAD						
Period of Diversion: APRIL 1 TO OCTOBER 31 Diversion Means: HEADGATE							
Diversion Means: 2	NWSENW 31 9S 11W BEAVERHEAD						
	: APRIL 1 TO OCTOBER 31						
Diversion Means:	HEADGATE						

MAY 9, 2013 41A 95017-00 Page 2 of 5

\*Point of Diversion and Means of Diversion:

Point of Diversion a			a	æ	n	<b>G</b> (		
$\frac{\text{ID}}{3}$ $\frac{\text{Ge}}{3}$	<u>ovt Lot</u>	<u>Qtr Sec</u> NESESE	<u>Sec</u> 31			<u>County</u> BEAVERHEAD		
			• •	93	1100	DEAVERNEAD		
Period of Diversion: APRIL 1 TO OCTOBER 31 Diversion Means: HEADGATE								
			22	00	4 4 1 4 /			
4	-			95	1100	BEAVERHEAD		
	sion: APRIL 1 T		ER 31					
Diversion Mean								
5				95	11VV	BEAVERHEAD		
	sion: APRIL 1 T		ER 31					
<b>Diversion Mean</b>								
6				9S	11W	BEAVERHEAD		
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31					
Diversion Mean	ns: HEADGA	ΓE						
7	SV	VSWSW	33	9S	11W	BEAVERHEAD		
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31					
<b>Diversion Mean</b>	ns: HEADGA	ΓE						
8	SI	ESWSW	25	9S	12W	BEAVERHEAD		
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31					
<b>Diversion Mean</b>	ns: HEADGA <sup>-</sup>	ГЕ						
9	N	ENESW	27	9S	12W	BEAVERHEAD		
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31					
<b>Diversion Mean</b>	ns: HEADGA <sup>-</sup>	ГЕ						
Ditch Name:	COMPAN	Y DITCH						
10	1	NESENE	36	9S	12W	BEAVERHEAD		
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31					
<b>Diversion Mean</b>	ns: HEADGA <sup>-</sup>	ГЕ						
11	N	NSENW	36	9S	12W	BEAVERHEAD		
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31					
<b>Diversion Mean</b>	s: HEADGA	ГЕ						
12	Ν	WNESE	36	9S	12W	BEAVERHEAD		
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31					
<b>Diversion Mean</b>	s: HEADGA	ГЕ						
13		VSWSW	26	9S	13W	BEAVERHEAD		
	sion: APRIL 1 T	О ОСТОВ	ER 31					
Diversion Mean								
Ditch Name:	HORSE P	RAIRIE CI	REEK D	UNLA	P SPL	IT DITCH		
14	1	VESENE	9	10S	11W	BEAVERHEAD		
	sion: APRIL 1 T							
Diversion Mean			21101					
15		VNWSW	10	105	11\//	BEAVERHEAD		
	sion: APRIL 1 T			100				
Diversion Mean								
						IRIE CREEK IS CON AIRIE CREEK WHIC		
	•••••						VERSION IN THE NE OF	
						D COUNTY.	-	

THE COMPANY DITCH CONVEYING WATER FROM A POINT OF DIVERSION IN NENESW OF SECTION 27 T9S R12W FLOWS INTO THE PAIMENT DITCH IN THE NWNW OF SECTION 01 T10S R12W.

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY)

PIERCE DITCH AND HANS PETERSON DITCH SHARE THE SAME POINT OF DIVERSION.

THE POINT OF DIVERSION IN SECTION 27 T9S R12W (COMPANY DITCH) FALLS ON THE LINE IN TWO OUT OF THE THREE QUARTER SECTIONS. FOR DATABASE PURPOSES AND CONSISTENCY, THE LEGAL DESCRIPTION WILL BE THE NENESW QUARTER OF SECTION 27 T9S R12W.

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>	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
4	595.00		31	9S	11W	BEAVERHEAD
5	83.00	S2N2	32	9S	11W	BEAVERHEAD
6	255.00	S2	32	9S	11W	BEAVERHEAD
7	130.00	N2	33	9S	11W	BEAVERHEAD
8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD
12	544.00		5	10S	11W	BEAVERHEAD
13	278.00	N2	6	10S	11W	BEAVERHEAD
14	17.00	NESE	6	10S	11W	BEAVERHEAD
15	3.00	N2NWSE	6	10S	11W	BEAVERHEAD
16	189.00	N2	9	10S	11W	BEAVERHEAD
17	45.00	E2SE	9	10S	11W	BEAVERHEAD
18	3.00	E2NWSE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2N2	10	10S	11W	BEAVERHEAD
20	71.00	W2SW	10	10S	11W	BEAVERHEAD
21	81.00	NE	1	10S	12W	BEAVERHEAD
Total:	3,447.00					

#### 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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

THIS IS A CLAIM TO 300" OF A 320" RIGHT DECREED IN CASE 1292. THE REMAINING 20" ARE CLAIMED IN 41A 95578-00.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK IS FED BY UNNAMED TRIBUTARIES AND FLOWS INTO HORSE PRAIRIE CREEK AGAIN.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95017-00 Page 5 of 5

#### **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

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

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

Water Right Number:	<b>41A 95018-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT					
	Version: 1 ORIGINAL RIGHT Status: ACTIVE					
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
Priority Date:	OCTOBER 1, 1908					
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:	3,447.00					
Source Name:	HORSE PRAIRIE CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and M	Means of Diversion:					
<u>ID</u> <u>Govt I</u>						
1	SENENW 31 9S 11W BEAVERHEAD					
Period of Diversion Diversion Means:	: APRIL 1 TO OCTOBER 31 HEADGATE					
2	NWSENW 31 9S 11W BEAVERHEAD					
	: APRIL 1 TO OCTOBER 31					
<b>Diversion Means:</b>	HEADGATE					

MAY 9, 2013 41A 95018-00 Page 2 of 5

\*Point of Diversion and Means of Diversion:

To Diversion and M		C	<b>T</b>	<b>D</b>	Course for
<u>ID</u> 3 <u>Govt L</u>	ot <u>Qtr Sec</u> NESESE	<u>Sec</u> 31			<u>County</u> BEAVERHEAD
	APRIL 1 TO OCTOB	•	30	1 1 7 7	
Diversion Means:					
4		32	20	11\//	BEAVERHEAD
•	APRIL 1 TO OCTOB		50	1 1 4 4	DEAVERIEAD
Diversion Means:					
5	NENWSW	32	20	11\//	BEAVERHEAD
	APRIL 1 TO OCTOB		30	1 1 7 7	
	HEADGATE				
6	SESESW	30	20	11\//	BEAVERHEAD
-	APRIL 1 TO OCTOB		90	1 1 7 7	BEAVERIEAD
	HEADGATE	EK 31			
7	SWSWSW	22	00	4 4 \ \ \ /	
•	APRIL 1 TO OCTOB	33	93	1100	BEAVERHEAD
Diversion Means:	HEADGATE	EK 31			
		25	00	1014/	
8 Danied of Dimensione	SESWSW APRIL 1 TO OCTOB	25	93	1200	BEAVERHEAD
Diversion Means:		ER 31			
9	NENESW	07	00	40144	
-		27	93	1200	BEAVERHEAD
	APRIL 1 TO OCTOB HEADGATE	ERSI			
	COMPANY DITCH				
10	NESENE	36	08	10\//	BEAVERHEAD
-	APRIL 1 TO OCTOB		93	1200	BEAVERNEAD
Diversion Means:		ERSI			
	NWSENW	26	00	1014/	BEAVERHEAD
11 Danied of Dimensione		36	93	1200	BEAVERNEAD
Diversion Means:	APRIL 1 TO OCTOB	ER 31			
		26	00	1014/	
12	NWNESE	36	95	1200	BEAVERHEAD
	APRIL 1 TO OCTOB	ER 31			
Diversion Means:		00	00	40144	
13 Decision of Discussion	SWSWSW	26	95	1300	BEAVERHEAD
	APRIL 1 TO OCTOB	ER 31			
Diversion Means:	HEADGATE HORSE PRAIRIE CI	סבבע ר		ם פסו	
Ditch Name:					BEAVERHEAD
14		9	105	1100	BEAVERNEAD
	APRIL 1 TO OCTOB	ER 31			
Diversion Means:	HEADGATE	40	400	4 4 1 4 1	
15	NWNWSW		105	1100	BEAVERHEAD
	APRIL 1 TO OCTOB	ER 31			
<b>Diversion Means:</b>	HEADGATE				
	UNNAMED TRIBUT/	ARY OF	HOR	SE PR	AIRIE CREEK IS CONVEYED TO AN AIRIE CREEK WHICH IS USED AS A DARY POINTS OF DIVERSION IN THE NE OF
	SECTION 05 T10S F				

THE COMPANY DITCH CONVEYING WATER FROM A POINT OF DIVERSION IN NENESW OF SECTION 27 T9S R12W FLOWS INTO THE PAIMENT DITCH IN THE NWNW OF SECTION 01 T10S R12W.

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).

THE POINT OF DIVERSION IN SECTION 27 T9S R12W (COMPANY DITCH) FALLS ON THE LINE IN TWO OUT OF THE THREE QUARTER SECTIONS. FOR DATABASE PURPOSES AND CONSISTENCY, THE LEGAL DESCRIPTION WILL BE THE NENESW QUARTER OF SECTION 27 T9S R12W.

PIERCE DITCH AND HANS PETERSON DITCH SHARE THE SAME POINT OF DIVERSION.

Period of Use: APRIL 1 TO OCTOBER 31

#### **Place of Use:**

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
4	595.00		31	9S	11W	BEAVERHEAD
5	83.00	S2N2	32	9S	11W	BEAVERHEAD
6	255.00	S2	32	9S	11W	BEAVERHEAD
7	130.00	N2	33	9S	11W	BEAVERHEAD
8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD
12	544.00		5	10S	11W	BEAVERHEAD
13	278.00	N2	6	10S	11W	BEAVERHEAD
14	17.00	NESE	6	10S	11W	BEAVERHEAD
15	3.00	N2NWSE	6	10S	11W	BEAVERHEAD
16	189.00	N2	9	10S	11W	BEAVERHEAD
17	45.00	E2SE	9	10S	11W	BEAVERHEAD
18	3.00	E2NWSE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2N2	10	10S	11W	BEAVERHEAD
20	71.00	W2SW	10	10S	11W	BEAVERHEAD
21	81.00	NE	1	10S	12W	BEAVERHEAD
Total:	3,447.00					

#### 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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS BACK INTO HORSE PRAIRIE CREEK.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A** ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95019	-00 STATE	EMENT OF CLAIM			
	Version:	1 ORIGIN	AL RIGHT			
		Status:	WITHDRAWN			
Owners:	CARRIE A 6000 MT H DILLON, M		4			
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
Priority Date:						
Enforceable Price	ority Date:					
Type of Historical Right	:					
Purpose (use):	IRRIGATIO	N				
Flow Rate:						
Volume:						

Source Name:

SPRING, UNNAMED TRIBUTARY OF HORSE PRAIRIE 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 07/02/2007. 

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

#### PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95020-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE		
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624		
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624		
*Priority Date:	AUGUST 1, 1885		
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:	147.00		
*Source Name:	UNNAMED TRIBUTARY OF CEDAR CREEK		
Source Type:	SURFACE WATER		
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.		
Point of Diversion and N	Means of Diversion:		
$\frac{\mathbf{ID}}{1} \qquad \qquad \mathbf{Govt I}$	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWNWNE 33 9S 11W BEAVERHEAD		
Period of Diversion	: APRIL 1 TO OCTOBER 31		
<b>Diversion Means:</b>	DITCH		
Period of Use:	APRIL 1 TO OCTOBER 31		

Place	of I	Use:
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ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1	39.00	W2NE	33	9S	11W	BEAVERHEAD
2	4.00	W2SESE	33	9S	11W	BEAVERHEAD
3	68.00	W2SE	33	9S	11W	BEAVERHEAD
4	36.00	S2SW	33	9S	11W	BEAVERHEAD
Total:	147.00					

#### **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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 3/4/2003.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95020-00 Page 3 of 3

#### PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95021-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE			
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
Priority Date:	JANUARY 10, 1928			
Type of Historical Right: FILED				
Purpose(use):	IRRIGATION			
Irrigation Type:	FLOOD			
Flow Rate:	153.00 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: Source Type:	SPRING, UNNAMED TRIBUTARY OF CEDAR CREEK GROUNDWATER ALSO KNOWN AS PEDERSEN SPRING			
Point of Diversion and N	Means of Diversion:			
ID Govt I	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWNENW 27 9S 11W BEAVERHEAD			
	: APRIL 1 TO OCTOBER 31			
Diversion Means:	SPRING BOX			
Period of Use:	APRIL 1 TO OCTOBER 31			

#### Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	4.00	NWNE	27	9S	11W	BEAVERHEAD
2	5.00	NENW	27	9S	11W	BEAVERHEAD
Total:	9.00					

#### **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.

95021-00 95060-00

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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, FLOW RATE AND MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 3/4/2003.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE. 

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

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

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

#### **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95022-00       STATEMENT OF CLAIM         Version:       1 ORIGINAL RIGHT         Status:       ACTIVE
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
Priority Date:	APRIL 27, 1917
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
Volume:	0.50 AC-FT
Climatic Area	: 5 - LOW
Maximum Acres:	8.00
Source Name: Source Type:	CEDAR CREEK SURFACE WATER THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.
Point of Diversion and I	Means of Diversion:
$\underline{ID}$ <u>Govt 1</u>	
<sup>1</sup> *Period of Diversion Diversion Means:	SENENE 33 9S 11W BEAVERHEAD : JANUARY 1 TO DECEMBER 31 DAM

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	Reservoir:	ONSTREAM					
	<u>G</u>	Fovt Lot	<u>Qtr Sec</u> SENENE		<u>Twp</u> 9S	<u>Rge</u> 11W	<u>County</u> BEAVERHEAD
	Diversion	to Reservoir:	DIVERS	SION # 1			
	Dam Heig	ght:	5.00	FEET			
	Depth:		5.00	FEET			
	Surface A	rea:	0.25	ACRES			
	Capacity	:	0.50	ACRE-F	EET		
			E RESERV /OIR DATA		RKSHI	EET IN	I THE CLAIM FILE FOR ADDITIONAL
Period	l of Use:	APRIL 1	то осто	BER 31			
Place	of Use:						
<u>ID</u>	Acres (	Fovt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	County
1	2.00		S2NENE	33	9S	11W	BEAVERHEAD
2	6.00		SENE	33	9S	11W	BEAVERHEAD

**Remarks:** 

Total:

8.00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/01/2007: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 03/04/2003.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 NOTICE OF APPROPRIATION FILED WITH THIS RIGHT WAS ALSO PROVIDED AS DOCUMENTATION FOR FILED WATER RIGHT 41A 95058.

THE PRIORITY DATE MAY BE QUESTIONABLE. THE PLACE OF USE DESCRIBED ON THE FILED NOTICE OF APPROPRIATION 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95022-00 Page 3 of 3

#### PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

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

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

Water Right Number:	<b>41A 95023-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
Priority Date:	SEPTEMBER 15, 1871				
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:	711.00				
Source Name:	MEDICINE LODGE CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and M	Means of Diversion:				
ID Govt 1					
1	SESESW 5 10S 11W BEAVERHEAD				
	: APRIL 1 TO OCTOBER 31				
Diversion Means: 2	HEADGATE SENESW 7 10S 11W BEAVERHEAD				
	: APRIL 1 TO OCTOBER 31				
Diversion Means:	HEADGATE				

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

ID	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
3		NWSWNW	8	10S	11W	BEAVERHEAD
Period of	of Diversion: AP	RIL 1 TO OCTOE	3ER 31			
Diversio	on Means: HE	ADGATE				
4		SWSENE	9	10S	11W	BEAVERHEAD
Period of	of Diversion: AP	RIL 1 TO OCTOE	3ER 31			
Diversio	on Means: HE	ADGATE				
5		SENENW	9	10S	11W	BEAVERHEAD
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversio	on Means: HE	ADGATE				
Period of Us	e: APF	RIL 1 TO OCTOB	ER 31			

Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	94.00	SW	4	10S	11W	BEAVERHEAD
2	71.00	NE	5	10S	11W	BEAVERHEAD
3	90.00	NW	5	10S	11W	BEAVERHEAD
4	138.00	SE	5	10S	11W	BEAVERHEAD
5	74.00	SW	5	10S	11W	BEAVERHEAD
6	37.00	SENE	6	10S	11W	BEAVERHEAD
7	12.00	NESE	6	10S	11W	BEAVERHEAD
8	52.00	NE	9	10S	11W	BEAVERHEAD
9	81.00	NW	9	10S	11W	BEAVERHEAD
10	62.00	SE	9	10S	11W	BEAVERHEAD
Total:	711.00					

#### **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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 2/15/2007: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 3/4/2003.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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 WHETHER ONE OR TWO RIGHTS EXIST FOR 105 M.I. CLAIMED FROM MEDICINE LODGE CREEK AND HORSE PRAIRIE CREEK. TWO RIGHTS CLAIM 105 M.I. AND A PRIORITY DATE OF SEPTEMBER 15, 1871. THIS RIGHT CLAIMS THE SOURCE AS MEDICINE LODGE CREEK; WATER RIGHT 41A 95011-00 CLAIMS HORSE PRAIRIE CREEK. SEVERAL DECREES ARE INVOLVED WHICH ARE NOTED IN A MEMO TO THE 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

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

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

Water Right Number:	<b>41A 95024-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT				
	Version: 1 ORIGINAL RIGHT Status: ACTIVE				
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
Priority Date:	OCTOBER 15, 1882				
Type of Historical Right	: DECREED				
Purpose(use):	IRRIGATION				
Irrigation Type:	FLOOD				
Flow Rate:	3.88 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:	711.00				
Source Name:	MEDICINE LODGE CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and M	Means of Diversion:				
ID Govt 1					
1	SESESW 5 10S 11W BEAVERHEAD				
	: APRIL 1 TO OCTOBER 31				
Diversion Means: 2	HEADGATE SENESW 7 10S 11W BEAVERHEAD				
	: APRIL 1 TO OCTOBER 31				
Diversion Means:	HEADGATE				

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\*Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
3		NWSWNW	8	10S	11W	BEAVERHEAD
Period of	of Diversion: AP	RIL 1 TO OCTOE	3ER 31			
Diversio	on Means: HE	ADGATE				
4		SWSENE	9	10S	11W	BEAVERHEAD
Period of	of Diversion: AP	RIL 1 TO OCTOE	3ER 31			
Diversio	on Means: HE	ADGATE				
5		SENENW	9	10S	11W	BEAVERHEAD
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversio	on Means: HE	ADGATE				
Period of Us	e: APF	RIL 1 TO OCTOB	ER 31			

Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	94.00	SW	4	10S	11W	BEAVERHEAD
2	71.00	NE	5	10S	11W	BEAVERHEAD
3	90.00	NW	5	10S	11W	BEAVERHEAD
4	138.00	SE	5	10S	11W	BEAVERHEAD
5	74.00	SW	5	10S	11W	BEAVERHEAD
6	37.00	SENE	6	10S	11W	BEAVERHEAD
7	12.00	NESE	6	10S	11W	BEAVERHEAD
8	52.00	NE	9	10S	11W	BEAVERHEAD
9	81.00	NW	9	10S	11W	BEAVERHEAD
10	62.00	SE	9	10S	11W	BEAVERHEAD
Total:	711.00					

#### **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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 2/15/2007: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 3/4/2003.

THE WATER RIGHT WAS SPLIT IN A GRANT DEED (SEE 41A 95580) ON MAY 31, 1966. L.C. LIVESTOCK RECEIVED 31/123RDS (155") OF THE DECREED 615".

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

#### PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

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

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

Water Right Number:	<b>41A 95025-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
Priority Date:	OCTOBER 15, 1883				
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:	711.00				
Source Name:	MEDICINE LODGE CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and M	Means of Diversion:				
<u>ID</u> <u>Govt I</u>					
1	SESESW 5 10S 11W BEAVERHEAD				
Diversion Means:	: APRIL 1 TO OCTOBER 31 HEADGATE				
2	SENESW 7 10S 11W BEAVERHEAD				
_	: APRIL 1 TO OCTOBER 31				
<b>Diversion Means:</b>	HEADGATE				

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\*Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
3		NWSWNW	8	10S	11W	BEAVERHEAD
Period of	of Diversion: AP	RIL 1 TO OCTOE	3ER 31			
Diversio	on Means: HE	ADGATE				
4		SWSENE	9	10S	11W	BEAVERHEAD
Period of	of Diversion: AP	RIL 1 TO OCTOE	3ER 31			
Diversio	on Means: HE	ADGATE				
5		SENENW	9	10S	11W	BEAVERHEAD
Period of Diversion: APRIL 1 TO OCTOBER 31						
Diversio	on Means: HE	ADGATE				
Period of Us	e: APF	RIL 1 TO OCTOB	ER 31			

Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	94.00	SW	4	10S	11W	BEAVERHEAD
2	71.00	NE	5	10S	11W	BEAVERHEAD
3	90.00	NW	5	10S	11W	BEAVERHEAD
4	138.00	SE	5	10S	11W	BEAVERHEAD
5	74.00	SW	5	10S	11W	BEAVERHEAD
6	37.00	SENE	6	10S	11W	BEAVERHEAD
7	12.00	NESE	6	10S	11W	BEAVERHEAD
8	52.00	NE	9	10S	11W	BEAVERHEAD
9	81.00	NW	9	10S	11W	BEAVERHEAD
10	62.00	SE	9	10S	11W	BEAVERHEAD
Total:	711.00					

#### **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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 2/15/2007: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 3/4/2003.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

WATER RIGHTS 41A 95025 AND 95051 APPEAR TO BE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. SEE CLAIM FILE FOR ADDITIONAL INFORMATION (DNRC MEMORANDUM APRIL 2007).

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

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

#### PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95026-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
<b>*Priority Date:</b>	AUGUST 1, 1886
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:	711.00
Source Name:	MEDICINE LODGE CREEK
Source Type:	SURFACE WATER
*Point of Diversion and I	Means of Diversion:
ID Govt 1	
1 D · L (D) · ·	SESESW 5 10S 11W BEAVERHEAD
Diversion Means:	: APRIL 1 TO OCTOBER 31 HEADGATE
2	SENESW 7 10S 11W BEAVERHEAD
	APRIL 1 TO OCTOBER 31
<b>Diversion Means:</b>	HEADGATE

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\*Point of Diversion and Means of Diversion:

ID	Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
3		NWSWNW	8	10S	11W	BEAVERHEAD
Period of	of Diversion: AP	RIL 1 TO OCTOE	3ER 31			
Diversio	on Means: HE	ADGATE				
4		SWSENE	9	10S	11W	BEAVERHEAD
Period of	of Diversion: AP	RIL 1 TO OCTOE	3ER 31			
Diversio	on Means: HE	ADGATE				
5		SENENW	9	10S	11W	BEAVERHEAD
Period of	of Diversion: AP	RIL 1 TO OCTOE	3ER 31			
Diversio	on Means: HE	ADGATE				
Period of Us	e: APF	RIL 1 TO OCTOB	ER 31			

Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	94.00	SW	4	10S	11W	BEAVERHEAD
2	71.00	NE	5	10S	11W	BEAVERHEAD
3	90.00	NW	5	10S	11W	BEAVERHEAD
4	138.00	SE	5	10S	11W	BEAVERHEAD
5	74.00	SW	5	10S	11W	BEAVERHEAD
6	37.00	SENE	6	10S	11W	BEAVERHEAD
7	12.00	NESE	6	10S	11W	BEAVERHEAD
8	52.00	NE	9	10S	11W	BEAVERHEAD
9	81.00	NW	9	10S	11W	BEAVERHEAD
10	62.00	SE	9	10S	11W	BEAVERHEAD
Total:	711.00					

#### **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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 2/15/2007: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 3/4/2003.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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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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 120 MINER'S INCHES DECREED IN CASE NO. 3405 , BEAVERHEAD COUNTY. 41A 95026, 117659.

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

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

#### **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95027-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT Status: ACTIVE					
Owners:	USA (DEPT OF AGRICULTURE FOREST SERVICE) 1820 MEADOWLARK LN BUTTE, MT 59701 6816					
Priority Date:	JUNE 28, 1897					
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:	165.00					
Source Name:	SELWAY CREEK					
Source Type:	SURFACE WATER					
	ALSO KNOWN AS EAST FORK OF BLOODY DICK CREEK					
Point of Diversion and N	Aeans of Diversion:					
<u>ID</u> <u>Govt I</u>						
1 Devial of Dimension	SWSWSE 14 8S 15W BEAVERHEAD : APRIL 1 TO OCTOBER 31					
Diversion Means:	HEADGATE					
2	NWSWNE 23 8S 15W BEAVERHEAD					
—	: APRIL 1 TO OCTOBER 31					
<b>Diversion Means:</b>	HEADGATE					
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>	Twp	Rge	<u>County</u>
1	1.00	SWSWSE	14	8S	15W	BEAVERHEAD
2	5.00	SESESE	22	8S	15W	BEAVERHEAD
3	10.00	W2W2NE	23	8S	15W	BEAVERHEAD
4	31.00	SENW	23	8S	15W	BEAVERHEAD
5	118.00	SW	23	8S	15W	BEAVERHEAD
Total:	165.00					

**Remarks:** 

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

AREAS OF SUBIRRIGATION ARE NOTED ON PHOTO CXM-7B-25.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

#### **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95028-00 STATEMENT OF CLAIM
	Version: 2 ORIGINAL RIGHT Status: ACTIVE
Owners:	USA (DEPT OF AGRICULTURE FOREST SERVICE) 1820 MEADOWLARK LN BUTTE, MT 59701 6816
Priority Date:	NOVEMBER 18, 1901
Type of Historical Right	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	3.15 CFS
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Areas	5 - LOW
Maximum Acres:	188.00
*Source Name:	C L CREEK
Source Type:	SURFACE WATER
*Source Name:	SHORT CREEK
Source Type:	SURFACE WATER
	ALSO KNOWN AS SORENSON CREEK
	THE SOURCE IS A TRIBUTARY OF SELWAY CREEK.
Point of Diversion and N	Aeans of Diversion:
ID Govt I	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NENESW 13 8S 15W BEAVERHEAD
Source Name:	SHORT CREEK
Period of Diversion Diversion Means:	: APRIL 1 TO OCTOBER 31 HEADGATE

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Point of	Point of Diversion and Means of Diversion:						
ID	Govt I	Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
2		5	SENWSW	13	8S	15W	BEAVERHEAD
*Sou	rce Name:	C L CRE	EK				
Peri	od of Diversion	: APRIL 1	TO OCTOE	BER 31			
Dive	ersion Means:	HEADGA	λΤΕ				
3		I	NENENW	24	8S	15W	BEAVERHEAD
*Sou	rce Name:	C L CRE	EK				
Peri	od of Diversion	: APRIL 1	TO OCTOE	BER 31			
Dive	ersion Means:	HEADGA	λΤΕ				
Period of	f Use:	APRIL 1	то остов	ER 31			
Place of	Place of Use:						
ID	<u>Acres</u> Govt I	<u>lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	20.00		SWNW	13	8S	15W	BEAVERHEAD

1	20.00	SWNW	13	85	15W	BEAVERHEAD
2	13.00	N2NWSW	13	8S	15W	BEAVERHEAD
3	4.00	S2NWSW	13	8S	15W	BEAVERHEAD
4	11.00	SENE	14	8S	15W	BEAVERHEAD
5	104.00	SE	14	8S	15W	BEAVERHEAD
6	36.00	N2NE	23	8S	15W	BEAVERHEAD
Total:	188.00					

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 02/20/2003.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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-7B-25 , DATED 8/14/1942 , APPEARS TO INDICATE 164.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THIS CLAIM APPEARS TO DIVERT WATER FROM TWO SEPARATE SOURCES. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95029-00STATEMENT OF CLAIMVersion:2 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	USA (DEPT OF AGRICULTURE FOREST SERVICE) 1820 MEADOWLARK LN BUTTE, MT 59701 6816				
Priority Date:	JULY 7, 1902				
Type of Historical Right	: DECREED				
Purpose(use):	IRRIGATION				
Irrigation Type:	FLOOD				
Flow Rate:	3.90 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:	192.00				
*Source Name:	SELWAY CREEK				
Source Type:	SURFACE WATER				
*Source Name:	ORE CREEK				
Source Type:	SURFACE WATER				
Point of Diversion and M	Point of Diversion and Means of Diversion:				
<u>ID</u> <u>Govt I</u>	Lot <u>Qtr Sec Sec Twp Rge County</u> SESWSE 1 8S 15W BEAVERHEAD				
Source Name:	SELWAY CREEK				
	: APRIL 1 TO OCTOBER 31				
<b>Diversion Means:</b>	HEADGATE				

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

ID	Govt Lot		<u>Qtr Sec</u>	Sec	Twp	Rge	County
2			SENESE	2	8S	15W	BEAVERHEAD
*Source Name:		ORE CF	REEK				
Period of Diversion: APRIL 1 TO OCTOBER 31							
Diversi	ion Means:	HEADG	ATE				
Period of U	se:	APRIL 1	то остов	ER 31			

Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	Rge	<u>County</u>
1	24.00	S2SW	1	8S	15W	BEAVERHEAD
2	71.00	NW	12	8S	15W	BEAVERHEAD
3	54.00	W2SW	12	8S	15W	BEAVERHEAD
4	33.00	W2NW	13	8S	15W	BEAVERHEAD
5	10.00	E2NE	14	8S	15W	BEAVERHEAD
Total:	192.00					

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 02/20/2003.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

THIS CLAIM APPEARS TO DIVERT WATER FROM TWO SEPARATE SOURCES. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95029-00 Page 3 of 3

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95030-00 STATEMENT OF CLAIM				
	Version: 2 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	USA (DEPT OF AGRICULTURE FOREST SERVICE) 1820 MEADOWLARK LN BUTTE, MT 59701 6816				
Priority Date:	JULY 7, 1902				
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:	172.00				
*Source Name:	UNNAMED TRIBUTARY OF SWAMP CREEK				
Source Type:	SURFACE WATER				
	THE SOURCE IS A TRIBUTARY OF SELWAY CREEK.				
Point of Diversion and N	Aeans of Diversion:				
<u>ID</u> <u>Govt I</u>					
•	NENWSE 2 8S 15W BEAVERHEAD : APRIL 1 TO OCTOBER 31				
	HEADGATE				
Period of Use:	APRIL 1 TO OCTOBER 31				

ID         Acres Govt Lot         Qtr Sec         Sec         Twp         Rge         County           1         10.00         W2SWSW         1         8S         15W         BEAVERHEA           2         7.00         E2SESE         2         8S         15W         BEAVERHEA           3         17.00         E2E2NE         11         8S         15W         BEAVERHEA           4         30.00         SESE         11         8S         15W         BEAVERHEA           5         39.00         W2NW         12         8S         15W         BEAVERHEA           6         23.00         W2W2SW         12         8S         15W         BEAVERHEA           7         2.00         NWNWNW         13         8S         15W         BEAVERHEA           8         39.00         NENE         14         8S         15W         BEAVERHEA           9         5.00         N2SENE         14         8S         15W         BEAVERHEA           7         172.00         N2SENE         14         8S         15W         BEAVERHEA	Place of	f Use:					
2       7.00       E2SESE       2       8S       15W       BEAVERHEA         3       17.00       E2E2NE       11       8S       15W       BEAVERHEA         4       30.00       SESE       11       8S       15W       BEAVERHEA         5       39.00       W2NW       12       8S       15W       BEAVERHEA         6       23.00       W2W2SW       12       8S       15W       BEAVERHEA         7       2.00       NWNWNW       13       8S       15W       BEAVERHEA         8       39.00       NENE       14       8S       15W       BEAVERHEA         9       5.00       N2SENE       14       8S       15W       BEAVERHEA	ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
3       17.00       E2E2NE       11       8S       15W       BEAVERHEA         4       30.00       SESE       11       8S       15W       BEAVERHEA         5       39.00       W2NW       12       8S       15W       BEAVERHEA         6       23.00       W2W2SW       12       8S       15W       BEAVERHEA         7       2.00       NWNWNW       13       8S       15W       BEAVERHEA         8       39.00       NENE       14       8S       15W       BEAVERHEA         9       5.00       N2SENE       14       8S       15W       BEAVERHEA	1	10.00	W2SWSW	1	8S	15W	BEAVERHEAD
4       30.00       SESE       11       8S       15W       BEAVERHEA         5       39.00       W2NW       12       8S       15W       BEAVERHEA         6       23.00       W2W2SW       12       8S       15W       BEAVERHEA         7       2.00       NWNWNW       13       8S       15W       BEAVERHEA         8       39.00       NENE       14       8S       15W       BEAVERHEA         9       5.00       N2SENE       14       8S       15W       BEAVERHEA	2	7.00	E2SESE	2	8S	15W	BEAVERHEAD
5       39.00       W2NW       12       8S       15W       BEAVERHEA         6       23.00       W2W2SW       12       8S       15W       BEAVERHEA         7       2.00       NWNWNW       13       8S       15W       BEAVERHEA         8       39.00       NENE       14       8S       15W       BEAVERHEA         9       5.00       N2SENE       14       8S       15W       BEAVERHEA	3	17.00	E2E2NE	11	8S	15W	BEAVERHEAD
6       23.00       W2W2SW       12       8S       15W       BEAVERHEA         7       2.00       NWNWNW       13       8S       15W       BEAVERHEA         8       39.00       NENE       14       8S       15W       BEAVERHEA         9       5.00       N2SENE       14       8S       15W       BEAVERHEA	4	30.00	SESE	11	8S	15W	BEAVERHEAD
7       2.00       NWNWNW       13       8S       15W       BEAVERHEA         8       39.00       NENE       14       8S       15W       BEAVERHEA         9       5.00       N2SENE       14       8S       15W       BEAVERHEA	5	39.00	W2NW	12	8S	15W	BEAVERHEAD
8         39.00         NENE         14         8S         15W         BEAVERHEA           9         5.00         N2SENE         14         8S         15W         BEAVERHEA	6	23.00	W2W2SW	12	8S	15W	BEAVERHEAD
9 <u>5.00</u> N2SENE 14 8S 15W BEAVERHEA	7	2.00	NWNWNW	13	8S	15W	BEAVERHEAD
	8	39.00	NENE	14	8S	15W	BEAVERHEAD
Total: 172.00	9	5.00	N2SENE	14	8S	15W	BEAVERHEAD
	Total:	172.00					

#### 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.

95030-00 95031-00 95032-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 02/20/2003.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95030-00 Page 3 of 3

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

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

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

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

Water Right Number:	<b>41A 95031-00</b> STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	USA (DEPT OF AGRICULTURE FOREST SERVICE) 1820 MEADOWLARK LN BUTTE, MT 59701 6816				
Priority Date:	JULY 7, 1902				
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:	158.00				
*Source Name:	HIDDEN CREEK				
Source Type:	SURFACE WATER				
	ALSO KNOWN AS NEZ PERCE CREEK				
Point of Diversion and N	Means of Diversion:				
ID Govt I	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWNENE 11 8S 15W BEAVERHEAD				
	: APRIL 1 TO OCTOBER 31				
<b>Diversion Means:</b>	HEADGATE				
2	SENENE 11 8S 15W BEAVERHEAD				
Period of Diversion Diversion Means:	: APRIL 1 TO OCTOBER 31 HEADGATE				
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>	Twp	Rge	<b>County</b>		
1	43.00	E2NE	11	8S	15W	BEAVERHEAD		
2	30.00	SE	11	8S	15W	BEAVERHEAD		
3	16.00	W2W2NW	12	8S	15W	BEAVERHEAD		
4	23.00	W2W2SW	12	8S	15W	BEAVERHEAD		
5	2.00	NWNWNW	13	8S	15W	BEAVERHEAD		
6	39.00	NENE	14	8S	15W	BEAVERHEAD		
7	5.00	N2SENE	14	8S	15W	BEAVERHEAD		
Total:	158.00							

#### **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.

95030-00 95031-00 95032-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 02/20/2003.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

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

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95032-00 STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT Status: ACTIVE				
Owners:	USA (DEPT OF AGRICULTURE FOREST SERVICE) 1820 MEADOWLARK LN BUTTE, MT 59701 6816				
Priority Date:	JULY 7, 1902				
Type of Historical Right	DECREED				
Purpose(use):	IRRIGATION				
Irrigation Type:	FLOOD				
Flow Rate:	1.30 CFS				
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.				
Climatic Areas	5 - LOW				
Maximum Acres:	158.00				
*Source Name:	HIDDEN CREEK				
Source Type:	SURFACE WATER				
	ALSO KNOWN AS NEZ PERCE CREEK				
Point of Diversion and N	Aeans of Diversion:				
ID 1 Govt I	NWNENE 11 8S 15W BEAVERHEAD				
Period of Diversion Diversion Means:	: APRIL 1 TO OCTOBER 31 HEADGATE				
2	SENENE 11 8S 15W BEAVERHEAD				
_	: APRIL 1 TO OCTOBER 31 HEADGATE				
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>	Sec	Twp	<u>Rge</u>	<u>County</u>		
1	43.00	E2NE	11	8S	15W	BEAVERHEAD		
2	30.00	SE	11	8S	15W	BEAVERHEAD		
3	16.00	W2SWNW	12	8S	15W	BEAVERHEAD		
4	23.00	W2W2SW	12	8S	15W	BEAVERHEAD		
5	2.00	NWNWNW	13	8S	15W	BEAVERHEAD		
6	39.00	NENE	14	8S	15W	BEAVERHEAD		
7	5.00	N2SENE	14	8S	15W	BEAVERHEAD		
Total:	158.00							

#### **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.

95030-00 95031-00 95032-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 02/20/2003.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

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

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

## **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95033-00       STATEMENT OF CLAIM         Version:       1 ORIGINAL RIGHT         Status:       ACTIVE				
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
Priority Date:	MAY 15, 1873				
Type of Historical Right	DECREED				
Purpose(use):	IRRIGATION				
Irrigation Type:	FLOOD				
Flow Rate:	1.65 CFS				
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.				
Climatic Areas	: 5 - LOW				
Maximum Acres:	4,497.00				
*Source Name: Source Type:	UNNAMED TRIBUTARY OF MAIDEN CREEK SURFACE WATER				
*Source Name: Source Type:	MAIDEN CREEK SURFACE WATER				
*Source Name: Source Type:	MAIDEN CREEK, SOUTH FORK SURFACE WATER				
*Source Name: Source Type:	HORSE PRAIRIE CREEK SURFACE WATER				

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\*Point of Diversion and Means of Diversion:

ID	Govt L		Qtr Sec	Sec	Twp	Rge	County
1	00112		SENENW	31	9S		BEAVERHEAD
Source Nan	ne:	HORSE	PRAIRIE C	REEK			
Period of D	iversion:	APRIL 1	то остов	BER 31			
<b>Diversion</b> N	Ieans:	HEADG	ATE				
2			NWSENW	31	9S	11W	BEAVERHEAD
Source Nan	ne:	HORSE	PRAIRIE C	REEK			
Period of D	iversion:	APRIL 1	то остов	BER 31			
<b>Diversion</b> N	Ieans:	HEADG	ATE				
3			NESESE	31	9S	11W	BEAVERHEAD
Source Nan	ne:	HORSE	PRAIRIE C	REEK			
Period of D	iversion:	APRIL 1	то остов	BER 31			
<b>Diversion</b> N	Ieans:	HEADG	ATE				
4			SWSESE	32	9S	11W	BEAVERHEAD
Source Nan	ne:	HORSE	PRAIRIE C	REEK			
Period of D		APRIL 1	то остов	BER 31			
Diversion N		HEADG					
5			NENWSW	32	9S	11W	BEAVERHEAD
Source Nan	ne:	HORSE	PRAIRIE C	REEK			
Period of D	iversion:	APRIL 1	то остов	BER 31			
<b>Diversion</b> M	Ieans:	HEADG	ATE				
6			SESESW	32	9S	11W	BEAVERHEAD
Source Nan	ne:	HORSE	PRAIRIE C	REEK			
Period of D	iversion:	APRIL 1	то остов	BER 31			
<b>Diversion</b> N	Ieans:	HEADG	ATE				
7		5	SWSWSW	33	9S	11W	BEAVERHEAD
Source Nan	ne:	HORSE	PRAIRIE C	REEK			
Period of D	iversion:	APRIL 1	то остов	BER 31			
<b>Diversion</b> M	leans:	HEADG	ATE				
8			SESWSW	25	9S	12W	BEAVERHEAD
Source Nan	ne:	HORSE	PRAIRIE C	REEK			
Period of D	iversion:	APRIL 1	то остов	BER 31			
<b>Diversion</b> N	Ieans:	HEADG	ATE				
9			NENESW	27	9S	12W	BEAVERHEAD
Source Nan	ne:	HORSE	PRAIRIE C	REEK			
Period of D	iversion:	APRIL 1	то остов	BER 31			
<b>Diversion</b> N	leans:	HEADG	ATE				
Ditch Name	:	COMPA	NY DITCH				
10			NESENE	36	9S	12W	BEAVERHEAD
Source Nan	ne:	HORSE	PRAIRIE C	REEK			
Period of D	iversion:	APRIL 1	ТО ОСТОВ	BER 31			
<b>Diversion</b> M	leans:	HEADG	ATE				
11		I	NWSENW	36	9S	12W	BEAVERHEAD
Source Nan	ne:	HORSE	PRAIRIE C	REEK			
Period of D	iversion:	APRIL 1	TO OCTOR	BER 31			
<b>Diversion</b> N	leans:	HEADG	ATE				

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> \*Point of Diversion and Means of Diversion: ID **Govt Lot** Otr Sec Sec Twp Rge County 12 NWNESE 36 9S 12W BEAVERHEAD HORSE PRAIRIE CREEK Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 13 SWSWSW 26 9S 13W BEAVERHEAD Source Name: HORSE PRAIRIE CREEK Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE HORSE PRAIRIE CREEK DUNLAP SPLIT DITCH **Ditch Name:** 14 NESENE 10S 11W BEAVERHEAD 9 Source Name: HORSE PRAIRIE CREEK Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 15 NWNWSW 10 10S 11W BEAVERHEAD HORSE PRAIRIE CREEK Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 16 SENWSW 20 11S 13W BEAVERHEAD MAIDEN CREEK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE NWSESW 11S 13W BEAVERHEAD 17 20 MAIDEN CREEK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 HEADGATE **Diversion Means:** 18 SWSESW 20 11S 13W BEAVERHEAD MAIDEN CREEK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 19 NESESW 28 11S 13W BEAVERHEAD MAIDEN CREEK, SOUTH FORK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 20 NENWNE 29 11S 13W BEAVERHEAD MAIDEN CREEK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 21 NESWNE 29 11S 13W BEAVERHEAD \*Source Name: UNNAMED TRIBUTARY OF MAIDEN CREEK Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE NESWSE 11S 13W BEAVERHEAD 22 31 HORSE PRAIRIE CREEK Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 HEADGATE **Diversion Means:**

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ID	<u>Govt L</u>	<u>ot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge
23			SENESE	13	11S	14W
*Source	Name:	MAIDEN	CREEK			
Period	of Diversion:	APRIL 1	TO OCTOE	3ER 31		
Diversi	on Means:	HEADG	ATE			
24		N	IWSWNW	5	12S	13W

S 13W BEAVERHEAD

County

BEAVERHEAD

Source Name: HORSE PRAIRIE CREEK

Period of Diversion: APRIL 1 TO OCTOBER 31

**Diversion Means:** HEADGATE

\*Point of Diversion and Means of Diversion:

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).

THE COMPANY DITCH CONVEYING WATER FROM A POINT OF DIVERSION IN NENESW OF SECTION 27 T9S R12W FLOWS INTO THE PAIMENT DITCH IN THE NWNW OF SECTION 01 T10S R12W.

WATER DIVERTED FROM HORSE PRAIRIE CREEK IS CONVEYED TO AN UNNAMED TRIBUTARY OF HORSE PRAIRIE CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION IN THE NE OF SECTION 05 T10S R11W, BEAVERHEAD COUNTY.

THE POINT OF DIVERSION IN NESESW SEC 28 T11S R13WM BEAVERHEAD COUNTY, IS ON STATE OF MONTANA LAND.

THE POINT OF DIVERSION IN SECTION 27 T9S R12W (COMPANY DITCH) FALLS ON THE LINE IN TWO OUT OF THE THREE QUARTER SECTIONS. FOR DATABASE PURPOSES AND CONSISTENCY, THE LEGAL DESCRIPTION WILL BE THE NENESW QUARTER OF SECTION 27 T9S R12W.

THE POINT OF DIVERSION IN NWSWNW SEC 5 T12S R13W, BEAVERHEAD COUNTY, IS ON UNITED STATES FOREST SERVICE LAND.

PIERCE DITCH AND HANS PETERSON DITCH SHARE THE SAME POINT OF DIVERSION.

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>	Sec	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
4	595.00		31	9S	11W	BEAVERHEAD
5	83.00	S2N2	32	9S	11W	BEAVERHEAD
6	255.00	S2	32	9S	11W	BEAVERHEAD
7	130.00	N2	33	9S	11W	BEAVERHEAD
8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD
12	544.00		5	10S	11W	BEAVERHEAD

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<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
13	278.00	N2	6	10S	11W	BEAVERHEAD
14	17.00	NESE	6	10S	11W	BEAVERHEAD
15	3.00	N2NWSE	6	10S	11W	BEAVERHEAD
16	189.00	N2	9	10S	11W	BEAVERHEAD
17	45.00	E2SE	9	10S	11W	BEAVERHEAD
18	3.00	E2NWSE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2N2	10	10S	11W	BEAVERHEAD
20	71.00	W2SW	10	10S	11W	BEAVERHEAD
21	81.00	NE	1	10S	12W	BEAVERHEAD
22	45.00	S2SW	18	11S	13W	BEAVERHEAD
23	268.00	N2	19	11S	13W	BEAVERHEAD
24	89.00	N2S2	19	11S	13W	BEAVERHEAD
25	15.00	SWNW	20	11S	13W	BEAVERHEAD
26	36.00	NWSW	20	11S	13W	BEAVERHEAD
27	35.00	S2SW	20	11S	13W	BEAVERHEAD
28	20.00	SENE	29	11S	13W	BEAVERHEAD
29	6.00	N2NENW	29	11S	13W	BEAVERHEAD
30	112.00	SW	30	11S	13W	BEAVERHEAD
31	2.00	SWNWNE	31	11S	13W	BEAVERHEAD
32	86.00	NW	31	11S	13W	BEAVERHEAD
33	29.00	W2SE	31	11S	13W	BEAVERHEAD
34	27.00	NESW	31	11S	13W	BEAVERHEAD
35	112.00	SE	13	11S	14W	BEAVERHEAD
36	53.00	E2SW	13	11S	14W	BEAVERHEAD
37	106.00	NE	24	11S	14W	BEAVERHEAD
38	1.00	NENENW	24	11S	14W	BEAVERHEAD
39	8.00	N2NESE	24	11S	14W	BEAVERHEAD
	1 107 00					

**Total:** 4,497.00

AN AFFIDAVIT WAS RECEIVED SEPTEMBER 26, 2002 FROM BUSTER BROWN. THE AFFIDAVIT DESCRIBES HISTORICAL IRRIGATION PRACTICES ON THE LC RANCH AND THE L DIAMOND RANCH. THE PLACES OF USE ARE SEVERAL MILES APART.

#### Remarks:

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

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/26/2002: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS BACK INTO HORSE PRAIRIE CREEK.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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.

THIS CLAIM APPEARS TO DIVERT WATER FROM FOUR SEPARATE SOURCES. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95034-00       STATEMENT OF CLAIM         Version:       1 ORIGINAL RIGHT         Status:       ACTIVE					
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
Priority Date:	JUNE 15, 1873					
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 Areas	: 5 - LOW					
Maximum Acres:	4,497.00					
*Source Name: Source Type:	UNNAMED TRIBUTARY OF MAIDEN CREEK SURFACE WATER					
*Source Name: Source Type:	MAIDEN CREEK SURFACE WATER					
*Source Name: Source Type:	MAIDEN CREEK, SOUTH FORK SURFACE WATER					
*Source Name: Source Type:	HORSE PRAIRIE CREEK SURFACE WATER					

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\*Point of Diversion and Means of Diversion:

ID	Govt L		Qtr Sec	Sec	Twp	Rge	County
1	00112		SENENW	31	9S		BEAVERHEAD
Source Nan	ne:	HORSE	PRAIRIE C	REEK			
Period of D	iversion:	APRIL 1	то остов	BER 31			
<b>Diversion</b> N	Ieans:	HEADG	ATE				
2			NWSENW	31	9S	11W	BEAVERHEAD
Source Nan	ne:	HORSE	PRAIRIE C	REEK			
Period of D	iversion:	APRIL 1	то остов	BER 31			
<b>Diversion</b> N	Ieans:	HEADG	ATE				
3			NESESE	31	9S	11W	BEAVERHEAD
Source Nan	ne:	HORSE	PRAIRIE C	REEK			
Period of D	iversion:	APRIL 1	то остов	BER 31			
<b>Diversion</b> N	Ieans:	HEADG	ATE				
4			SWSESE	32	9S	11W	BEAVERHEAD
Source Nan	ne:	HORSE	PRAIRIE C	REEK			
Period of D		APRIL 1	то остов	BER 31			
Diversion N		HEADG					
5			NENWSW	32	9S	11W	BEAVERHEAD
Source Nan	ne:	HORSE	PRAIRIE C	REEK			
Period of D	iversion:	APRIL 1	то остов	BER 31			
<b>Diversion</b> M	Ieans:	HEADG	ATE				
6			SESESW	32	9S	11W	BEAVERHEAD
Source Nan	ne:	HORSE	PRAIRIE C	REEK			
Period of D	iversion:	APRIL 1	то остов	BER 31			
<b>Diversion</b> N	Ieans:	HEADG	ATE				
7		5	SWSWSW	33	9S	11W	BEAVERHEAD
Source Nan	ne:	HORSE	PRAIRIE C	REEK			
Period of D	iversion:	APRIL 1	то остов	BER 31			
<b>Diversion</b> M	leans:	HEADG	ATE				
8			SESWSW	25	9S	12W	BEAVERHEAD
Source Nan	ne:	HORSE	PRAIRIE C	REEK			
Period of D	iversion:	APRIL 1	то остов	BER 31			
<b>Diversion</b> N	Ieans:	HEADG	ATE				
9			NENESW	27	9S	12W	BEAVERHEAD
Source Nan	ne:	HORSE	PRAIRIE C	REEK			
Period of D	iversion:	APRIL 1	то остов	BER 31			
<b>Diversion</b> N	leans:	HEADG	ATE				
Ditch Name	:	COMPA	NY DITCH				
10			NESENE	36	9S	12W	BEAVERHEAD
Source Nan	ne:	HORSE	PRAIRIE C	REEK			
Period of D	iversion:	APRIL 1	ТО ОСТОВ	BER 31			
<b>Diversion</b> M	leans:	HEADG	ATE				
11		I	NWSENW	36	9S	12W	BEAVERHEAD
Source Nan	ne:	HORSE	PRAIRIE C	REEK			
Period of D	iversion:	APRIL 1	TO OCTOR	BER 31			
<b>Diversion</b> N	leans:	HEADG	ATE				

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\*Point of Diversion and Means of Diversion: ID **Govt Lot** Otr Sec Sec Twp **<u>Rge</u>** <u>County</u> 12 NWNESE 36 9S 12W BEAVERHEAD HORSE PRAIRIE CREEK Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 13 SWSWSW 26 9S 13W BEAVERHEAD Source Name: HORSE PRAIRIE CREEK Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE HORSE PRAIRIE CREEK DUNLAP SPLIT DITCH **Ditch Name:** 14 NESENE 10S 11W BEAVERHEAD 9 Source Name: HORSE PRAIRIE CREEK Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 15 NWNWSW 10 10S 11W BEAVERHEAD HORSE PRAIRIE CREEK Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 16 SENWSW 20 11S 13W BEAVERHEAD MAIDEN CREEK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE NWSESW 11S 13W BEAVERHEAD 17 20 MAIDEN CREEK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 HEADGATE **Diversion Means:** 18 SWSESW 20 11S 13W BEAVERHEAD MAIDEN CREEK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 19 NESESW 28 11S 13W BEAVERHEAD MAIDEN CREEK, SOUTH FORK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 20 NENWNE 29 11S 13W BEAVERHEAD MAIDEN CREEK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 21 NESWNE 29 11S 13W BEAVERHEAD \*Source Name: UNNAMED TRIBUTARY OF MAIDEN CREEK Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE NESWSE 11S 13W BEAVERHEAD 22 31 HORSE PRAIRIE CREEK Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 HEADGATE **Diversion Means:** 

MAY 9, 2013 41A 95034-00 Page 4 of 7

<u>ID</u> <u>Govt I</u>	Lot Qtr Sec Sec Twp Rge County
23	SENESE 13 11S 14W BEAVERHEAD
*Source Name:	MAIDEN CREEK
Period of Diversion	a: APRIL 1 TO OCTOBER 31
<b>Diversion Means:</b>	HEADGATE
24	NWSWNW 5 12S 13W BEAVERHEAD
Source Name:	HORSE PRAIRIE CREEK
Period of Diversion	a: APRIL 1 TO OCTOBER 31
<b>Diversion Means:</b>	HEADGATE
	THE COMPANY DITCH CONVEYING WATER FROM A POINT OF DIVERSION IN NENESW OF SECTION 27 T9S R12W FLOWS INTO THE PAIMENT DITCH IN THE NWNW OF SECTION 01 T10S R12W.
	WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).
	WATER DIVERTED FROM HORSE PRAIRIE CREEK IS CONVEYED TO AN UNNAMED TRIBUTARY OF HORSE PRAIRIE CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION IN THE NE OF SECTION 05 T10S R11W, BEAVERHEAD COUNTY.
	THE POINT OF DIVERSION IN SECTION 27 T9S R12W (COMPANY DITCH) FALLS ON THE LINE IN TWO OUT OF THE THREE QUARTER SECTIONS. FOR DATABASE PURPOSES AND CONSISTENCY, THE LEGAL DESCRIPTION WILL BE THE NENESW QUARTER OF SECTION 27 T9S R12W.
	PIERCE DITCH AND HANS PETERSON DITCH SHARE THE SAME POINT OF DIVERSION.
	THE POINT OF DIVERSION IN NESESW SEC 28 T11S R13WM BEAVERHEAD COUNTY, IS ON STATE OF MONTANA LAND.
	THE POINT OF DIVERSION IN NWSWNW SEC 5 T12S R13W, BEAVERHEAD COUNTY, IS ON UNITED STATES FOREST SERVICE LAND.
Period of Use:	APRIL 1 TO OCTOBER 31

## Place of Use:

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
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MAY 9, 2013 41A 95034-00 Page 5 of 7

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
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20	71.00	W2SW	10	10S	11W	BEAVERHEAD
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23	268.00	N2	19	11S	13W	BEAVERHEAD
24	89.00	N2S2	19	11S	13W	BEAVERHEAD
25	15.00	SWNW	20	11S	13W	BEAVERHEAD
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27	35.00	S2SW	20	11S	13W	BEAVERHEAD
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29	6.00	N2NENW	29	11S	13W	BEAVERHEAD
30	112.00	SW	30	11S	13W	BEAVERHEAD
31	2.00	SWNWNE	31	11S	13W	BEAVERHEAD
32	86.00	NW	31	11S	13W	BEAVERHEAD
33	29.00	W2SE	31	11S	13W	BEAVERHEAD
34	27.00	NESW	31	11S	13W	BEAVERHEAD
35	112.00	SE	13	11S	14W	BEAVERHEAD
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37	106.00	NE	24	11S	14W	BEAVERHEAD
38	1.00	NENENW	24	11S	14W	BEAVERHEAD
39	8.00	N2NESE	24	11S	14W	BEAVERHEAD
-	4 407 00					

**Total:** 4,497.00

AN AFFIDAVIT WAS RECEIVED SEPTEMBER 26, 2002 FROM BUSTER BROWN. THE AFFIDAVIT DESCRIBES HISTORICAL IRRIGATION PRACTICES ON THE LC RANCH AND THE L DIAMOND RANCH. THE PLACES OF USE ARE SEVERAL MILES APART.

#### Remarks:

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

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/26/2002: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 02/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE 1988 TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS INTO HORSE PRAIRIE CREEK DOWNSTREAM.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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.

THIS CLAIM APPEARS TO DIVERT WATER FROM FOUR SEPARATE SOURCES. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

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

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

Water Right Number:	<b>41A 95035-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
Priority Date:	MAY 15, 1874
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	1.83 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:	4,497.00
*Source Name: Source Type:	UNNAMED TRIBUTARY OF MAIDEN CREEK SURFACE WATER
*Source Name: Source Type:	MAIDEN CREEK SURFACE WATER
*Source Name: Source Type:	MAIDEN CREEK, SOUTH FORK SURFACE WATER
*Source Name: Source Type:	HORSE PRAIRIE CREEK SURFACE WATER

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\*Point of Diversion and Means of Diversion:

				C	T	ъ	0 1
<u>ID</u> 1	<u>Govt L</u>	<u>ot</u>	<u>Qtr Sec</u> SENENW	<u>Sec</u> 31	<u>Twp</u> 9S	<u>Rge</u> 11W	<u>County</u> BEAVERHEAD
Source Name	e:	HORSE	PRAIRIE C	REEK			
Period of Div	version:	APRIL 1	то осто	BER 31			
Diversion M	eans:	HEADG	ATE				
2			NWSENW	31	9S	11W	BEAVERHEAD
Source Name	e:	HORSE	PRAIRIE C	REEK			
Period of Div							
Diversion M		HEADG		DERO			
3	cull5.	112/12/01	NESESE	31	9S	11\//	BEAVERHEAD
Source Name	•	HORSE	PRAIRIE	-	30	1 1 7 7	DEAVENIEAD
Period of Div							
				DER JI			
Diversion M	eans:	HEADG			~~		
4			SWSESE		9S	1177	BEAVERHEAD
Source Name			PRAIRIE C				
Period of Div				BER 31			
Diversion M	eans:	HEADG	ATE				
5		I	NENWSW	32	9S	11W	BEAVERHEAD
Source Name	e:	HORSE	PRAIRIE C	REEK			
Period of Div	version:	APRIL 1	то осто	BER 31			
Diversion M	eans:	HEADG	ATE				
6			SESESW	32	9S	11W	BEAVERHEAD
Source Name	e:	HORSE	PRAIRIE C	REEK			
Period of Div	version:	APRIL 1	то осто	BER 31			
Diversion M	eans:	HEADG	ATE				
7		S	SWSWSW	33	9S	11W	BEAVERHEAD
Source Name	e:	HORSE	PRAIRIE C	REEK			
Period of Div	version:	APRIL 1	то осто	BER 31			
Diversion M	eans:	HEADG	ATE				
8			SESWSW	25	9S	12W	BEAVERHEAD
Source Name	e:	HORSE	PRAIRIE C	REEK			
Period of Div	version:	APRIL 1	то осто	BER 31			
Diversion M	eans:	HEADG	ATE				
9			NENESW	27	9S	12W	BEAVERHEAD
Source Name	e:	HORSE	PRAIRIE C	REEK			
Period of Div	version:	APRIL 1	то осто	BER 31			
Diversion M	eans:	HEADG	ATE				
Ditch Name:		COMPA	NY DITCH				
10			NESENE	36	9S	12W	BEAVERHEAD
Source Name	e:	HORSE	PRAIRIE C	REEK			
Period of Div							
Diversion M		HEADG		DERO			
11	-4113.		NWSENW	36	9S	12\//	BEAVERHEAD
Source Name	•		PRAIRIE C		30	1 2 1 1	
Period of Div							
Diversion M				DER 31			
Diversion M	calls:	HEADG.					

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> \*Point of Diversion and Means of Diversion: ID **Govt Lot** Otr Sec Sec Twp Rge County 12 NWNESE 36 9S 12W BEAVERHEAD HORSE PRAIRIE CREEK Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 13 SWSWSW 26 9S 13W BEAVERHEAD Source Name: HORSE PRAIRIE CREEK Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE HORSE PRAIRIE CREEK DUNLAP SPLIT DITCH **Ditch Name:** 14 NESENE 10S 11W BEAVERHEAD 9 Source Name: HORSE PRAIRIE CREEK Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 15 NWNWSW 10 10S 11W BEAVERHEAD HORSE PRAIRIE CREEK Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 16 SENWSW 20 11S 13W BEAVERHEAD MAIDEN CREEK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE NWSESW 11S 13W BEAVERHEAD 17 20 MAIDEN CREEK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 HEADGATE **Diversion Means:** 18 SWSESW 20 11S 13W BEAVERHEAD MAIDEN CREEK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 19 NESESW 28 11S 13W BEAVERHEAD MAIDEN CREEK, SOUTH FORK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 20 NENWNE 29 11S 13W BEAVERHEAD MAIDEN CREEK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 21 NESWNE 29 11S 13W BEAVERHEAD \*Source Name: UNNAMED TRIBUTARY OF MAIDEN CREEK Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE NESWSE 11S 13W BEAVERHEAD 22 31 HORSE PRAIRIE CREEK Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 HEADGATE **Diversion Means:**

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$\frac{\text{ID}}{23}$ $\underline{G}$	<u>ovt Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENESE 13 11S 14W BEAVERHEAD
23 *Source Name:	MAIDEN CREEK
	rsion: APRIL 1 TO OCTOBER 31
Diversion Mea	
24	NWSWNW 5 12S 13W BEAVERHEAD
Source Name:	
	rsion: APRIL 1 TO OCTOBER 31
<b>Diversion Mea</b>	ns: HEADGATE
	WATER DIVERTED FROM HORSE PRAIRIE CREEK IS CONVEYED TO AN UNNAMED TRIBUTARY OF HORSE PRAIRIE CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION IN THE NE OF SECTION 05 T10S R11W, BEAVERHEAD COUNTY.
	THE COMPANY DITCH CONVEYING WATER FROM A POINT OF DIVERSION IN NENESW OF SECTION 27 T9S R12W FLOWS INTO THE PAIMENT DITCH IN THE NWNW OF SECTION 01 T10S R12W.
	WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).
	THE POINT OF DIVERSION IN NWSWNW SEC 5 T12S R13W, BEAVERHEAD COUNTY, IS ON UNITED STATES FOREST SERVICE LAND.
	THE POINT OF DIVERSION IN NESESW SEC 28 T11S R13WM BEAVERHEAD COUNTY, IS ON STATE OF MONTANA LAND.
	THE POINT OF DIVERSION IN SECTION 27 T9S R12W (COMPANY DITCH) FALLS ON THE LINE IN TWO OUT OF THE THREE QUARTER SECTIONS. FOR DATABASE PURPOSES AND CONSISTENCY, THE LEGAL DESCRIPTION WILL BE THE NENESW QUARTER OF SECTION 27 T9S R12W.
	PIERCE DITCH AND HANS PETERSON DITCH SHARE THE SAME POINT OF DIVERSION.
Period of Use:	APRIL 1 TO OCTOBER 31

# Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
4	595.00		31	9S	11W	BEAVERHEAD
5	83.00	S2N2	32	9S	11W	BEAVERHEAD
6	255.00	S2	32	9S	11W	BEAVERHEAD
7	130.00	N2	33	9S	11W	BEAVERHEAD
8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD

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<u>ID</u>	<u>Acres</u> G	ovt Lot Qtr	Sec	Sec	Twp	Rge	<u>County</u>
12	544.00			5	10S	11W	BEAVERHEAD
13	278.00		N2	6	10S	11W	BEAVERHEAD
14	17.00	NE	SE	6	10S	11W	BEAVERHEAD
15	3.00	N2NW	SE	6	10S	11W	BEAVERHEAD
16	189.00		N2	9	10S	11W	BEAVERHEAD
17	45.00	E2	SE	9	10S	11W	BEAVERHEAD
18	3.00	E2NW	SE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2	N2	10	10S	11W	BEAVERHEAD
20	71.00	W28	SW	10	10S	11W	BEAVERHEAD
21	81.00		NE	1	10S	12W	BEAVERHEAD
22	45.00	S25	SW	18	11S	13W	BEAVERHEAD
23	268.00		N2	19	11S	13W	BEAVERHEAD
24	89.00	N2	S2	19	11S	13W	BEAVERHEAD
25	15.00	SWN	1W	20	11S	13W	BEAVERHEAD
26	36.00	NWS	SW	20	11S	13W	BEAVERHEAD
27	35.00	S25	SW	20	11S	13W	BEAVERHEAD
28	20.00	SE	NE	29	11S	13W	BEAVERHEAD
29	6.00	N2NEN	1W	29	11S	13W	BEAVERHEAD
30	112.00	S	SW	30	11S	13W	BEAVERHEAD
31	2.00	SWNW	NE	31	11S	13W	BEAVERHEAD
32	86.00	Ν	1W	31	11S	13W	BEAVERHEAD
33	29.00	W2	SE	31	11S	13W	BEAVERHEAD
34	27.00	NES	SW	31	11S	13W	BEAVERHEAD
35	112.00		SE	13	11S	14W	BEAVERHEAD
36	53.00	E28	SW	13	11S	14W	BEAVERHEAD
37	106.00		NE	24	11S	14W	BEAVERHEAD
38	1.00	NENEN	١W	24	11S	14W	BEAVERHEAD
39	8.00	N2NE	SE	24	11S	14W	BEAVERHEAD
Total	4 497 00						

**Total:** 4,497.00

AN AFFIDAVIT WAS RECEIVED SEPTEMBER 26, 2002 FROM BUSTER BROWN. THE AFFIDAVIT DESCRIBES HISTORICAL IRRIGATION PRACTICES ON THE LC RANCH AND THE L DIAMOND RANCH. THE PLACES OF USE ARE SEVERAL MILES APART.

#### Remarks:

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

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/26/2002: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS BACK INTO HORSE PRAIRIE CREEK.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

THIS CLAIM APPEARS TO DIVERT WATER FROM FOUR SEPARATE SOURCES. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95035-00 Page 7 of 7

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

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95036-00 STATEMENT OF CLAIM Version: 3 ORIGINAL RIGHT Status: ACTIVE					
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
Priority Date:	JUNE 15, 1877					
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:	4,497.00					
*Source Name: Source Type:	UNNAMED TRIBUTARY OF MAIDEN CREEK SURFACE WATER					
*Source Name: Source Type:	MAIDEN CREEK SURFACE WATER					
*Source Name: Source Type:	MAIDEN CREEK, SOUTH FORK SURFACE WATER					
*Source Name: Source Type:	HORSE PRAIRIE CREEK SURFACE WATER					

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\*Point of Diversion and Means of Diversion:

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<u>ID</u> <u>C</u>	Fovt Lot	<u>Qtr Sec</u> SENENW	<u>Sec</u> 31	<u>Twp</u> 9S	<u>Rge</u> 11W	<u>County</u> BEAVERHEAD
Source Name:	HORSE	E PRAIRIE CI	REEK			
Period of Dive	rsion: APRIL	1 ТО ОСТОВ	ER 31			
<b>Diversion Mea</b>	ns: HEADO	GATE				
2		NWSENW	31	9S	11W	BEAVERHEAD
Source Name:	HORSE		REEK			
Period of Dive						
Diversion Mea			21101			
3		NESESE	31	9S	11\\/	BEAVERHEAD
Source Name:	HORSE		-	30	1 1 7 7	DEAVENIEAD
Period of Dive						
			DER SI			
Diversion Mea	ins: HEADO		~~	~~		
4		SWSESE		9S	11VV	BEAVERHEAD
Source Name:						
Period of Dive			SER 31			
Diversion Mea	ins: HEADO	GATE				
5		NENWSW	32	9S	11W	BEAVERHEAD
Source Name:	HORSE	E PRAIRIE CI	REEK			
Period of Dive	rsion: APRIL	1 ТО ОСТОВ	SER 31			
<b>Diversion Mea</b>	ins: HEADO	GATE				
6		SESESW	32	9S	11W	BEAVERHEAD
Source Name:	HORSE	PRAIRIE C	REEK			
Period of Dive	rsion: APRIL	1 ТО ОСТОВ	ER 31			
<b>Diversion Mea</b>	ns: HEADO	GATE				
7		SWSWSW	33	9S	11W	BEAVERHEAD
Source Name:	HORSE	E PRAIRIE CI	REEK			
Period of Dive	rsion: APRIL	1 ТО ОСТОВ	ER 31			
<b>Diversion Mea</b>	ns: HEADO	GATE				
8		SESWSW	25	9S	12W	BEAVERHEAD
Source Name:	HORSE	E PRAIRIE CI	REEK			
Period of Dive	rsion: APRIL	1 ТО ОСТОВ	ER 31			
<b>Diversion Mea</b>	ins: HEADO	GATE				
9		NENESW	27	9S	12W	BEAVERHEAD
Source Name:	HORSE	E PRAIRIE CI	REEK			
Period of Dive	rsion: APRIL	1 ТО ОСТОВ	SER 31			
<b>Diversion Mea</b>	ins: HEADO	GATE				
Ditch Name:	COMP	ANY DITCH				
10		NESENE	36	95	12W	BEAVERHEAD
Source Name:	HORSE			•••		
Period of Dive						
Diversion Mea						
11		NWSENW	36	9S	12\//	BEAVERHEAD
Source Name:	ПОВС	E PRAIRIE CH		30	1 2 9 9	
Period of Dive			DER 31			
<b>Diversion Mea</b>	ins: HEADO					

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> \*Point of Diversion and Means of Diversion: ID **Govt Lot** Otr Sec Sec Twp **<u>Rge</u>** <u>County</u> 12 NWNESE 36 9S 12W BEAVERHEAD HORSE PRAIRIE CREEK Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 13 SWSWSW 26 9S 13W BEAVERHEAD Source Name: HORSE PRAIRIE CREEK Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE HORSE PRAIRIE CREEK DUNLAP SPLIT DITCH **Ditch Name:** 14 NESENE 10S 11W BEAVERHEAD 9 Source Name: HORSE PRAIRIE CREEK Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 15 NWNWSW 10 10S 11W BEAVERHEAD HORSE PRAIRIE CREEK Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 16 SENWSW 20 11S 13W BEAVERHEAD MAIDEN CREEK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE NWSESW 11S 13W BEAVERHEAD 17 20 MAIDEN CREEK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 HEADGATE **Diversion Means:** 18 SWSESW 20 11S 13W BEAVERHEAD MAIDEN CREEK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 19 NESESW 28 11S 13W BEAVERHEAD MAIDEN CREEK, SOUTH FORK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 20 NENWNE 29 11S 13W BEAVERHEAD MAIDEN CREEK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 21 NESWNE 29 11S 13W BEAVERHEAD \*Source Name: UNNAMED TRIBUTARY OF MAIDEN CREEK Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE NESWSE 11S 13W BEAVERHEAD 22 31 HORSE PRAIRIE CREEK Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 HEADGATE **Diversion Means:**

MAY 9, 2013 41A 95036-00 Page 4 of 7

$\frac{\text{ID}}{23}$ $\underline{G}$	Lot <u>Qtr Sec Sec Twp Rge County</u> SENESE 13 11S 14W BEAVERHEAD
*Source Name:	MAIDEN CREEK
	: APRIL 1 TO OCTOBER 31
Diversion Mea	HEADGATE
24	NWSWNW 5 12S 13W BEAVERHEAD
Source Name:	HORSE PRAIRIE CREEK
<b>Period of Dive</b>	: APRIL 1 TO OCTOBER 31
<b>Diversion Mea</b>	HEADGATE
	WATER DIVERTED FROM HORSE PRAIRIE CREEK IS CONVEYED TO AN UNNAMED TRIBUTARY OF HORSE PRAIRIE CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION IN THE NE OF SECTION 05 T10S R11W, BEAVERHEAD COUNTY.
	WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).
	THE COMPANY DITCH CONVEYING WATER FROM A POINT OF DIVERSION IN NENESW OF SECTION 27 T9S R12W FLOWS INTO THE PAIMENT DITCH IN THE NWNW OF SECTION 01 T10S R12W.
	PIERCE DITCH AND HANS PETERSON DITCH SHARE THE SAME POINT OF DIVERSION.
	THE POINT OF DIVERSION IN SECTION 27 T9S R12W (COMPANY DITCH) FALLS ON THE LINE IN TWO OUT OF THE THREE QUARTER SECTIONS. FOR DATABASE PURPOSES AND CONSISTENCY, THE LEGAL DESCRIPTION WILL BE THE NENESW QUARTER OF SECTION 27 T9S R12W.
	THE POINT OF DIVERSION IN NWSWNW SEC 5 T12S R13W, BEAVERHEAD COUNTY, IS ON UNITED STATES FOREST SERVICE LAND.
	THE POINT OF DIVERSION IN NESESW SEC 28 T11S R13WM BEAVERHEAD COUNTY, IS ON STATE OF MONTANA LAND.
Period of Use:	APRIL 1 TO OCTOBER 31
Place of Use:	

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
4	595.00		31	9S	11W	BEAVERHEAD
5	83.00	S2N2	32	9S	11W	BEAVERHEAD
6	255.00	S2	32	9S	11W	BEAVERHEAD
7	130.00	N2	33	9S	11W	BEAVERHEAD
8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD

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<u>ID</u>	<u>Acres</u> G	ovt Lot Qtr	Sec	Sec	Twp	Rge	<u>County</u>
12	544.00			5	10S	11W	BEAVERHEAD
13	278.00		N2	6	10S	11W	BEAVERHEAD
14	17.00	NE	SE	6	10S	11W	BEAVERHEAD
15	3.00	N2NW	SE	6	10S	11W	BEAVERHEAD
16	189.00		N2	9	10S	11W	BEAVERHEAD
17	45.00	E2	SE	9	10S	11W	BEAVERHEAD
18	3.00	E2NW	SE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2	N2	10	10S	11W	BEAVERHEAD
20	71.00	W28	SW	10	10S	11W	BEAVERHEAD
21	81.00		NE	1	10S	12W	BEAVERHEAD
22	45.00	S25	SW	18	11S	13W	BEAVERHEAD
23	268.00		N2	19	11S	13W	BEAVERHEAD
24	89.00	N2	S2	19	11S	13W	BEAVERHEAD
25	15.00	SWN	1W	20	11S	13W	BEAVERHEAD
26	36.00	NWS	SW	20	11S	13W	BEAVERHEAD
27	35.00	S25	SW	20	11S	13W	BEAVERHEAD
28	20.00	SE	NE	29	11S	13W	BEAVERHEAD
29	6.00	N2NEN	1W	29	11S	13W	BEAVERHEAD
30	112.00	S	SW	30	11S	13W	BEAVERHEAD
31	2.00	SWNW	NE	31	11S	13W	BEAVERHEAD
32	86.00	Ν	1W	31	11S	13W	BEAVERHEAD
33	29.00	W2	SE	31	11S	13W	BEAVERHEAD
34	27.00	NES	SW	31	11S	13W	BEAVERHEAD
35	112.00		SE	13	11S	14W	BEAVERHEAD
36	53.00	E28	SW	13	11S	14W	BEAVERHEAD
37	106.00		NE	24	11S	14W	BEAVERHEAD
38	1.00	NENEN	١W	24	11S	14W	BEAVERHEAD
39	8.00	N2NE	SE	24	11S	14W	BEAVERHEAD
Total	4 497 00						

**Total:** 4,497.00

AN AFFIDAVIT WAS RECEIVED SEPTEMBER 26, 2002 FROM BUSTER BROWN. THE AFFIDAVIT DESCRIBES HISTORICAL IRRIGATION PRACTICES ON THE LC RANCH AND THE L DIAMOND RANCH. THE PLACES OF USE ARE SEVERAL MILES APART.

#### Remarks:

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

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/26/2002: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/01/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 02/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 02/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS BACK INTO HORSE PRAIRIE CREEK.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

THIS CLAIM APPEARS TO DIVERT WATER FROM FOUR SEPARATE SOURCES. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95036-00 Page 7 of 7

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

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

## **IMPORTANT NOTICE**

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

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

Water Right Number:	<b>41A 95037-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
Priority Date:	JULY 15, 1877					
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:	3,447.00					
Source Name:	HORSE PRAIRIE CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and M	Means of Diversion:					
<u>ID</u> <u>Govt I</u>						
1	SENENW 31 9S 11W BEAVERHEAD					
Period of Diversion Diversion Means:	: APRIL 1 TO OCTOBER 31 HEADGATE					
2	NWSENW 31 9S 11W BEAVERHEAD					
	: APRIL 1 TO OCTOBER 31					
Diversion Means:	HEADGATE					

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\*Point of Diversion and Means of Diversion:

Point of Diversion a			a	æ	n	<b>a</b> (	
$\frac{\text{ID}}{3}$ $\frac{\text{Ge}}{3}$	<u>ovt Lot</u>	<u>Qtr Sec</u> NESESE	<u>Sec</u> 31			<u>County</u> BEAVERHEAD	
	ہ sion: APRIL 1 T		• •	93	1100	DEAVERNEAD	
	sion: APRIL I I is: HEADGA <sup>-</sup>		ER 31				
			22	00	4 4 1 4 /		
4	-			95	1100	BEAVERHEAD	
	sion: APRIL 1 T		ER 31				
Diversion Mean							
5				95	11VV	BEAVERHEAD	
	sion: APRIL 1 T		ER 31				
Diversion Mean							
6				9S	11W	BEAVERHEAD	
	sion: APRIL 1 T		ER 31				
Diversion Mean	s: HEADGA	ΓE					
7	SV	VSWSW	33	9S	11W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
8	SI	ESWSW	25	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
9	N	ENESW	27	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
Ditch Name:	COMPAN	Y DITCH					
10	1	NESENE	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
11	N	NSENW	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mea</b>	s: HEADGA	ГЕ					
12	Ν	WNESE	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mea</b>	s: HEADGA	ГЕ					
13		VSWSW	26	9S	13W	BEAVERHEAD	
	sion: APRIL 1 T	О ОСТОВ	ER 31				
Diversion Mean							
Ditch Name:	HORSE P	RAIRIE CI	REEK D	UNLA	P SPL	IT DITCH	
14	1	VESENE	9	10S	11W	BEAVERHEAD	
	sion: APRIL 1 T						
Diversion Mean			21101				
15		VNWSW	10	105	11\//	BEAVERHEAD	
	sion: APRIL 1 T			100			
Diversion Mean							
						IRIE CREEK IS CON AIRIE CREEK WHICH	
							ERSION IN THE NE OF
						D COUNTY.	-

THE COMPANY DITCH CONVEYING WATER FROM A POINT OF DIVERSION IN NENESW OF SECTION 27 T9S R12W FLOWS INTO THE PAIMENT DITCH IN THE NWNW OF SECTION 01 T10S R12W.

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).

PIERCE DITCH AND HANS PETERSON DITCH SHARE THE SAME POINT OF DIVERSION.

THE POINT OF DIVERSION IN SECTION 27 T9S R12W (COMPANY DITCH) FALLS ON THE LINE IN TWO OUT OF THE THREE QUARTER SECTIONS. FOR DATABASE PURPOSES AND CONSISTENCY, THE LEGAL DESCRIPTION WILL BE THE NENESW QUARTER OF SECTION 27 T9S R12W.

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>	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
4	595.00		31	9S	11W	BEAVERHEAD
5	83.00	S2N2	32	9S	11W	BEAVERHEAD
6	255.00	S2	32	9S	11W	BEAVERHEAD
7	130.00	N2	33	9S	11W	BEAVERHEAD
8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD
12	544.00		5	10S	11W	BEAVERHEAD
13	278.00	N2	6	10S	11W	BEAVERHEAD
14	17.00	NESE	6	10S	11W	BEAVERHEAD
15	3.00	N2NWSE	6	10S	11W	BEAVERHEAD
16	189.00	N2	9	10S	11W	BEAVERHEAD
17	45.00	E2SE	9	10S	11W	BEAVERHEAD
18	3.00	E2NWSE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2N2	10	10S	11W	BEAVERHEAD
20	71.00	W2SW	10	10S	11W	BEAVERHEAD
21	81.00	NE	1	10S	12W	BEAVERHEAD
Total:	3,447.00					

#### 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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS BACK INTO HORSE PRAIRIE CREEK.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95037-00 Page 5 of 5

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

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95038-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
Priority Date:	JUNE 15, 1878
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	5.70 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:	4,497.00
*Source Name: Source Type:	UNNAMED TRIBUTARY OF MAIDEN CREEK SURFACE WATER
*Source Name: Source Type:	MAIDEN CREEK SURFACE WATER
*Source Name: Source Type:	MAIDEN CREEK, SOUTH FORK SURFACE WATER
*Source Name: Source Type:	HORSE PRAIRIE CREEK SURFACE WATER

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\*Point of Diversion and Means of Diversion:

$\frac{\mathbf{ID}}{1}$	Govt L	<u>ot</u>	<u>Qtr Sec</u> SENENW		<u>Sec</u> 31	<u>Twp</u> 9S		<u>County</u> BEAVERHEAD
Source Nam	٥.	HORSE	PRAIRIE			90	1 1 V V	
Period of Di								
Diversion M		HEADG						
2	cans.		NWSENW	,	31	9S	11\\/	BEAVERHEAD
Z Source Nam	<b></b>		PRAIRIE			90	1 1 V V	
Period of Di								
Diversion M		HEADG		וטי				
3	cans.	HEADO.	NESESE	-	31	9S	1 1 \ \/	BEAVERHEAD
Source Nam	•	HORSE	PRAIRIE		-	90	1 1 V V	
Period of Di								
Diversion M		HEADG		וטכ				
4	cans.	HEADO.	SWSESE	-	32	9S	1 1 \ \ /	BEAVERHEAD
4 Source Nam	<b></b>	HORSE	PRAIRIE			90	1100	DEAVENIEAD
Period of Di								
Diversion M		HEADG		וטכ				
5	cans.			,	32	9S	1 1 \ \ /	BEAVERHEAD
5 Source Nam	~•		PRAIRIE			93	1177	DEAVERNEAD
Period of Di								
Diversion M		HEADG		וסכ				
6	eans:	HLADG.	SESESW	,	32	9S	1 1 \ \ /	BEAVERHEAD
o Source Nam	~•		PRAIRIE			93	1177	DEAVERNEAD
Period of Di				-				
Diversion M		HEADG		וסכ	ER SI			
7	eans:		SWSWSW	,	33	9S	4 4 \ \ \ /	BEAVERHEAD
/ Source Nam	~•		PRAIRIE			93	1177	DEAVERNEAD
Period of Di								
Diversion M		HEADG		וסכ				
8	cans.	-	SESWSW	,	25	9S	10\//	BEAVERHEAD
o Source Nam	~•		PRAIRIE			93	1200	DEAVERNEAD
Period of Di								
Diversion M		HEADG		וסכ	ER SI			
9	cans.	HLADG.		,	27	08	10\//	BEAVERHEAD
9 Source Nam	<b></b>	HORSE	PRAIRIE			93	1200	DEAVERNEAD
Period of Di								
Diversion M		HEADG		וטכ				
Ditch Name:		-		4				
10			NESENE		36	20	12\//	BEAVERHEAD
Source Nam	<b></b>	HORSE	PRAIRIE	-		90	1200	DEAVENIEAD
Period of Di				-				
Diversion M								
11	cans.	-	NWSENW	,	36	9S	12\//	BEAVERHEAD
Source Nam	۵.		PRAIRIE			30	1 2 9 9	
Period of Di								
Diversion M				וטי	_1, 01			
DIVELSION IV	calls.							

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> \*Point of Diversion and Means of Diversion: ID **Govt Lot** Otr Sec Sec Twp **<u>Rge</u>** <u>County</u> 12 NWNESE 36 9S 12W BEAVERHEAD HORSE PRAIRIE CREEK Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 13 SWSWSW 26 9S 13W BEAVERHEAD Source Name: HORSE PRAIRIE CREEK Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE HORSE PRAIRIE CREEK DUNLAP SPLIT DITCH **Ditch Name:** 14 NESENE 10S 11W BEAVERHEAD 9 Source Name: HORSE PRAIRIE CREEK Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 15 NWNWSW 10 10S 11W BEAVERHEAD HORSE PRAIRIE CREEK Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 16 SENWSW 20 10S 11W BEAVERHEAD MAIDEN CREEK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE NWSESW 11S 13W BEAVERHEAD 17 20 MAIDEN CREEK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 HEADGATE **Diversion Means:** 18 SWSESW 20 11S 13W BEAVERHEAD MAIDEN CREEK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 19 NESESW 28 11S 13W BEAVERHEAD MAIDEN CREEK, SOUTH FORK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 20 NENWNE 29 11S 13W BEAVERHEAD MAIDEN CREEK \*Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE 21 NESWNE 29 11S 13W BEAVERHEAD \*Source Name: UNNAMED TRIBUTARY OF MAIDEN CREEK Period of Diversion: APRIL 1 TO OCTOBER 31 **Diversion Means:** HEADGATE NESWSE 11S 13W BEAVERHEAD 22 31 HORSE PRAIRIE CREEK Source Name: Period of Diversion: APRIL 1 TO OCTOBER 31 HEADGATE **Diversion Means:**

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*Point of Diversion and Means of Diversion	*Point of	Diversion	and Means	of Diversion:
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<u>ID</u> 23	Govt ]	Lot Qtr Sec SENESE	<u>Sec</u> 13			<u>County</u> BEAVERHEAD
*Source N	Jame	MAIDEN CREEK	15	115	1400	BEAVERIERD
		: APRIL 1 TO OCTO	SER 31			
	n Means:		DERIOT			
24		NWSWNW	5	12S	13W	BEAVERHEAD
Source N	Name:	HORSE PRAIRIE C				
Period o	f Diversion	APRIL 1 TO OCTO	BER 31			
Diversio	n Means:	HEADGATE				
		UNNAMED TRIBUT	ARY O	F HOR WO SE	SE PR	AIRIE CREEK IS CONVEYED TO AN AIRIE CREEK WHICH IS USED AS A DARY POINTS OF DIVERSION IN THE NE OF AD COUNTY.
			FION 27	′ T9S R	12W F	ATER FROM A POINT OF DIVERSION IN LOWS INTO THE PAIMENT DITCH IN THE
		THE SWSWSW OF PRAIRIE CREEK-D NATURAL CARRIE	SECTI UNLAP R TO T SEC 26	ON 26 SPLIT WO SE 5 T9S F	T9S R DITCH COND 13W,	AIRIE CREEK AT A POINT OF DIVERSION IN 13W IS CONVEYED THROUGH THE HORSE 1 TO DUNLAP CREEK WHICH IS USED AS A DARY POINTS OF DIVERSION 1) PIERCE BEAVERHEAD COUNTY), 2) JAGGER DITCH RHEAD COUNTY).
		PIERCE DITCH AN DIVERSION.	D HANS	S PETE	RSON	I DITCH SHARE THE SAME POINT OF
		ON THE LINE IN T	NO OU <sup>-</sup> DSES A	T OF T ND CO	HE TH	N 27 T9S R12W (COMPANY DITCH) FALLS REE QUARTER SECTIONS. FOR ENCY, THE LEGAL DESCRIPTION WILL BE 1 27 T9S R12W.
						W SEC 5 T12S R13W, BEAVERHEAD EST SERVICE LAND.
		THE POINT OF DIV COUNTY, IS ON S				V SEC 28 T11S R13WM BEAVERHEAD LAND.
Period of Use	:	APRIL 1 TO OCTOR	3ER 31			
Place of Use:			a	-		

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
4	595.00		31	9S	11W	BEAVERHEAD
5	83.00	S2N2	32	9S	11W	BEAVERHEAD
6	255.00	S2	32	9S	11W	BEAVERHEAD
7	130.00	N2	33	9S	11W	BEAVERHEAD
8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD

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<u>ID</u>	<u>Acres</u> G	ovt Lot Qtr	Sec	Sec	Twp	Rge	<u>County</u>
12	544.00			5	10S	11W	BEAVERHEAD
13	278.00		N2		10S	11W	BEAVERHEAD
14	17.00	NE	SE	6	10S	11W	BEAVERHEAD
15	3.00	N2NW	/SE	6	10S	11W	BEAVERHEAD
16	189.00		N2	9	10S	11W	BEAVERHEAD
17	45.00	E2	2SE	9	10S	11W	BEAVERHEAD
18	3.00	E2NW	/SE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2	2N2	10	10S	11W	BEAVERHEAD
20	71.00	W2	SW	10	10S	11W	BEAVERHEAD
21	81.00		NE	1	10S	12W	BEAVERHEAD
22	45.00	S2	SW	18	11S	13W	BEAVERHEAD
23	268.00		N2	19	11S	13W	BEAVERHEAD
24	89.00	N	2S2	19	11S	13W	BEAVERHEAD
25	15.00	SW	NW	20	11S	13W	BEAVERHEAD
26	36.00	NW	SW	20	11S	13W	BEAVERHEAD
27	35.00	S2	SW	20	11S	13W	BEAVERHEAD
28	20.00	SE	NE	29	11S	13W	BEAVERHEAD
29	6.00	N2NE	NW	29	11S	13W	BEAVERHEAD
30	112.00		SW	30	11S	13W	BEAVERHEAD
31	2.00	SWNW	/NE	31	11S	13W	BEAVERHEAD
32	86.00		NW	31	11S	13W	BEAVERHEAD
33	29.00	W2	2SE	31	11S	13W	BEAVERHEAD
34	27.00	NE	SW	31	11S	13W	BEAVERHEAD
35	112.00		SE	13	11S	14W	BEAVERHEAD
36	53.00	E2	SW	13	11S	14W	BEAVERHEAD
37	106.00		NE	24	11S	14W	BEAVERHEAD
38	1.00	NENE	NW	24	11S	14W	BEAVERHEAD
39	8.00	N2NE	SE	24	11S	14W	BEAVERHEAD
Total	4 497 00						

Total: 4,497.00

AN AFFIDAVIT WAS RECEIVED SEPTEMBER 26, 2002 FROM BUSTER BROWN. THE AFFIDAVIT DESCRIBES HISTORICAL IRRIGATION PRACTICES ON THE LC RANCH AND THE L DIAMOND RANCH. THE PLACES OF USE ARE SEVERAL MILES APART.

#### Remarks:

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

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 09/26/2002: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 02/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS BACK INTO HORSE PRAIRIE CREEK.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

THIS CLAIM APPEARS TO DIVERT WATER FROM FOUR SEPARATE SOURCES. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95038-00 Page 7 of 7

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

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95039-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT Status: ACTIVE
	Status: ACTIVE
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
Priority Date:	JUNE 15, 1880
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	2.95 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:	3,447.00
Source Name:	HORSE PRAIRIE CREEK
Source Type:	SURFACE WATER
*Point of Diversion and M	Means of Diversion:
ID Govt I	Lot <u>Qtr Sec Sec Twp Rge County</u>
1	SENENW 31 9S 11W BEAVERHEAD
	: APRIL 1 TO OCTOBER 31
<b>Diversion Means:</b>	HEADGATE
2	NWSENW 31 9S 11W BEAVERHEAD
	: APRIL 1 TO OCTOBER 31
<b>Diversion Means:</b>	HEADGATE

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\*Point of Diversion and Means of Diversion:

Point of Diversion a			a	æ	n	<b>a</b> (	
$\frac{\text{ID}}{3}$ $\frac{\text{Ge}}{3}$	<u>ovt Lot</u>	<u>Qtr Sec</u> NESESE	<u>Sec</u> 31			<u>County</u> BEAVERHEAD	
	ہ sion: APRIL 1 T		• •	93	1100	DEAVERNEAD	
	sion: APRIL I I is: HEADGA <sup>-</sup>		ER 31				
			22	00	4 4 1 4 /		
4	-			95	1100	BEAVERHEAD	
	sion: APRIL 1 T		ER 31				
Diversion Mean							
5				95	11VV	BEAVERHEAD	
	sion: APRIL 1 T		ER 31				
Diversion Mean							
6				9S	11W	BEAVERHEAD	
	sion: APRIL 1 T		ER 31				
Diversion Mean	s: HEADGA	ΓE					
7	SV	VSWSW	33	9S	11W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
8	SI	ESWSW	25	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
9	N	ENESW	27	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
Ditch Name:	COMPAN	Y DITCH					
10	1	NESENE	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
11	N	NSENW	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mea</b>	s: HEADGA	ГЕ					
12	Ν	WNESE	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mea</b>	s: HEADGA	ГЕ					
13		VSWSW	26	9S	13W	BEAVERHEAD	
	sion: APRIL 1 T	О ОСТОВ	ER 31				
Diversion Mean							
Ditch Name:	HORSE P	RAIRIE CI	REEK D	UNLA	P SPL	IT DITCH	
14	1	VESENE	9	10S	11W	BEAVERHEAD	
	sion: APRIL 1 T						
Diversion Mean			21101				
15		VNWSW	10	105	11\//	BEAVERHEAD	
	sion: APRIL 1 T			100			
Diversion Mean							
						IRIE CREEK IS CON AIRIE CREEK WHICH	
							ERSION IN THE NE OF
						D COUNTY.	-

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).

THE COMPANY DITCH CONVEYING WATER FROM A POINT OF DIVERSION IN NENESW OF SECTION 27 T9S R12W FLOWS INTO THE PAIMENT DITCH IN THE NWNW OF SECTION 01 T10S R12W.

PIERCE DITCH AND HANS PETERSON DITCH SHARE THE SAME POINT OF DIVERSION.

THE POINT OF DIVERSION IN SECTION 27 T9S R12W (COMPANY DITCH) FALLS ON THE LINE IN TWO OUT OF THE THREE QUARTER SECTIONS. FOR DATABASE PURPOSES AND CONSISTENCY, THE LEGAL DESCRIPTION WILL BE THE NENESW QUARTER OF SECTION 27 T9S R12W.

Period of Use: APRIL 1 TO OCTOBER 31

#### **Place of Use:**

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
4	595.00		31	9S	11W	BEAVERHEAD
5	83.00	S2N2	32	9S	11W	BEAVERHEAD
6	255.00	S2	32	9S	11W	BEAVERHEAD
7	130.00	N2	33	9S	11W	BEAVERHEAD
8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD
12	544.00		5	10S	11W	BEAVERHEAD
13	278.00	N2	6	10S	11W	BEAVERHEAD
14	17.00	NESE	6	10S	11W	BEAVERHEAD
15	3.00	N2NWSE	6	10S	11W	BEAVERHEAD
16	189.00	N2	9	10S	11W	BEAVERHEAD
17	45.00	E2SE	9	10S	11W	BEAVERHEAD
18	3.00	E2NWSE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2N2	10	10S	11W	BEAVERHEAD
20	71.00	W2SW	10	10S	11W	BEAVERHEAD
21	81.00	NE	1	10S	12W	BEAVERHEAD
Total:	3,447.00					

#### 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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS BACK INTO HORSE PRAIRIE CREEK.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95039-00 Page 5 of 5

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

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95040-00 STATEMENT OF CLAIM							
	Version: 3 ORIGINAL RIGHT Status: ACTIVE							
	Status: ACTIVE							
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624							
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624							
Priority Date:	JUNE 30, 1880							
Type of Historical Right	DECREED							
Purpose(use):	IRRIGATION							
Irrigation Type:	FLOOD							
Flow Rate:	1.65 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:	3,447.00							
Source Name:	HORSE PRAIRIE CREEK							
Source Type:	SURFACE WATER							
*Point of Diversion and M	Aeans of Diversion:							
<u>ID</u> <u>Govt I</u>								
1	SENENW 31 9S 11W BEAVERHEAD							
	APRIL 1 TO OCTOBER 31							
Diversion Means: 2	HEADGATE NWSENW 31 9S 11W BEAVERHEAD							
	APRIL 1 TO OCTOBER 31							
Diversion Means:	HEADGATE							
Diversion means.								

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\*Point of Diversion and Means of Diversion:

Point of Diversion and M		a	æ	D	
<u>ID</u> 3 <u>Govt L</u>	ot <u>Qtr Sec</u> NESESE	<u>Sec</u> 31			<u>County</u> BEAVERHEAD
	APRIL 1 TO OCTOB	-	90	1100	BEAVERITEAD
Diversion Means:					
4		32	00	1 1 \ \/	BEAVERHEAD
•	APRIL 1 TO OCTOB		93	1100	BEAVERNEAD
Diversion Means:		DER SI			
		22	00	4 4 \ \ \	
5	NENWSW	-	93	1100	BEAVERHEAD
	APRIL 1 TO OCTOB	3ER 31			
Diversion Means:	HEADGATE	20	00	4 4 1 4 1	
6	SESESW	-	95	1100	BEAVERHEAD
	APRIL 1 TO OCTOB	3ER 31			
Diversion Means:	HEADGATE		~~		
7	SWSWSW	33	95	11VV	BEAVERHEAD
	APRIL 1 TO OCTOB	3ER 31			
Diversion Means:	HEADGATE	~-			
8	SESWSW	-	95	1200	BEAVERHEAD
	APRIL 1 TO OCTOB	3ER 31			
<b>Diversion Means:</b>					
9	NENESW		95	1200	BEAVERHEAD
	APRIL 1 TO OCTOB	3ER 31			
	HEADGATE				
Ditch Name:	COMPANY DITCH	~~			
10	NESENE		95	1200	BEAVERHEAD
	APRIL 1 TO OCTOB	3ER 31			
<b>Diversion Means:</b>		~~			
11	NWSENW	36	95	1200	BEAVERHEAD
	APRIL 1 TO OCTOB	3ER 31			
Diversion Means:					
12	NWNESE	36	95	1200	BEAVERHEAD
	APRIL 1 TO OCTOB	3ER 31			
<b>Diversion Means:</b>					
13	SWSWSW	26	9S	13W	BEAVERHEAD
	APRIL 1 TO OCTOB	3ER 31			
Diversion Means:	HEADGATE				
Ditch Name:	HORSE PRAIRIE CI				
14		9	105	11VV	BEAVERHEAD
	APRIL 1 TO OCTOB	3ER 31			
<b>Diversion Means:</b>	HEADGATE				
15	NWNWSW	10	10S	11W	BEAVERHEAD
	APRIL 1 TO OCTOB	BER 31			
<b>Diversion Means:</b>	HEADGATE				
	UNNAMED TRIBUT	ARY OF R TO TV	F HORS	SE PR COND	NRIE CREEK IS CONVEYED TO AN AIRIE CREEK WHICH IS USED AS A DARY POINTS OF DIVERSION IN THE NE OF JNTY.

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SEC 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).

THE COMPANY DITCH CONVEYING WATER FROM A POINT OF DIVERSION IN NENESW OF SEC 27 T9S R12W FLOWS INTO THE PAIMENT DITCH IN THE NWNW OF SEC 1 T10S R12W.

PIERCE DITCH AND HANS PETERSON DITCH SHARE THE SAME POINT OF DIVERSION.

THE POINT OF DIVERSION IN SEC 27 T9S R12W (COMPANY DITCH) FALLS ON THE LINE IN TWO OUT OF THE THREE QUARTER SECTIONS. FOR DATABASE PURPOSES AND CONSISTENCY, THE LEGAL DESCRIPTION WILL BE THE NENESW QUARTER OF SEC 27 T9S R12W.

Period of Use: APRIL 1 TO OCTOBER 31

#### **Place of Use:**

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
4	595.00		31	9S	11W	BEAVERHEAD
5	83.00	S2N2	32	9S	11W	BEAVERHEAD
6	255.00	S2	32	9S	11W	BEAVERHEAD
7	130.00	N2	33	9S	11W	BEAVERHEAD
8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD
12	544.00		5	10S	11W	BEAVERHEAD
13	278.00	N2	6	10S	11W	BEAVERHEAD
14	17.00	NESE	6	10S	11W	BEAVERHEAD
15	3.00	N2NWSE	6	10S	11W	BEAVERHEAD
16	189.00	N2	9	10S	11W	BEAVERHEAD
17	45.00	E2SE	9	10S	11W	BEAVERHEAD
18	3.00	E2NWSE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2N2	10	10S	11W	BEAVERHEAD
20	71.00	W2SW	10	10S	11W	BEAVERHEAD
21	81.00	NE	1	10S	12W	BEAVERHEAD
Total:	3,447.00					

#### 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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/01/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 02/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 02/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS BACK INTO HORSE PRAIRIE CREEK.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95040-00 Page 5 of 5

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

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95041-00 STATEMENT OF CLAIM						
	Version: 3 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624						
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624						
Priority Date:	JULY 1, 1880						
Type of Historical Right	: DECREED						
Purpose(use):	IRRIGATION						
Irrigation Type:	FLOOD						
Flow Rate:	426.36 GPM						
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.						
Climatic Areas	: 5 - LOW						
Maximum Acres:	3,447.00						
Source Name:	HORSE PRAIRIE CREEK						
Source Type:	SURFACE WATER						
*Point of Diversion and M	Means of Diversion:						
<u>ID</u> <u>Govt I</u>							
1 Deviad of Diversion	SENENW 31 9S 11W BEAVERHEAD APRIL 1 TO OCTOBER 31						
Diversion Means:	HEADGATE						
2	NWSENW 31 9S 11W BEAVERHEAD						
	: APRIL 1 TO OCTOBER 31						
<b>Diversion Means:</b>	HEADGATE						

MAY 9, 2013 41A 95041-00 Page 2 of 5

\*Point of Diversion and Means of Diversion:

Point of Diversion and			T.	ъ	
<u>ID</u> <u>Govt</u>		<u>sec</u> 31			<u>County</u> BEAVERHEAD
	n: APRIL 1 TO OCTOBE		93	1177	BEAVERNEAD
Diversion Means:		кэі			
	-	~~	00	4 4 1 4 1	
4			95	1100	BEAVERHEAD
	n: APRIL 1 TO OCTOBE	R 31			
Diversion Means:		~~	~ ~		
5			98	11VV	BEAVERHEAD
	n: APRIL 1 TO OCTOBE	R 31			
<b>Diversion Means:</b>	HEADGATE				
6	SESESW	32	9S	11W	BEAVERHEAD
Period of Diversion	n: APRIL 1 TO OCTOBE	R 31			
<b>Diversion Means:</b>	HEADGATE				
7	SWSWSW	33	9S	11W	BEAVERHEAD
Period of Diversion	n: APRIL 1 TO OCTOBE	R 31			
<b>Diversion Means:</b>	HEADGATE				
8	SESWSW	25	9S	12W	BEAVERHEAD
Period of Diversion	n: APRIL 1 TO OCTOBE	R 31			
<b>Diversion Means:</b>	HEADGATE				
9	NENESW	27	9S	12W	BEAVERHEAD
Period of Diversion	n: APRIL 1 TO OCTOBE	R 31			
<b>Diversion Means:</b>	HEADGATE				
Ditch Name:	COMPANY DITCH				
10	NESENE	36	9S	12W	BEAVERHEAD
Period of Diversion	n: APRIL 1 TO OCTOBE	R 31			
<b>Diversion Means:</b>	HEADGATE				
11	NWSENW	36	9S	12W	BEAVERHEAD
Period of Diversion	n: APRIL 1 TO OCTOBE	R 31			
<b>Diversion Means:</b>	HEADGATE				
12	NWNESE	36	9S	12W	BEAVERHEAD
Period of Diversion	n: APRIL 1 TO OCTOBE	R 31			
<b>Diversion Means:</b>	HEADGATE				
13		26	9S	13W	BEAVERHEAD
	n: APRIL 1 TO OCTOBE	R 31			
Diversion Means:	HEADGATE				
Ditch Name:	HORSE PRAIRIE CRE	EK D	UNLA	P SPL	IT DITCH
14	NESENE	9	10S	11W	BEAVERHEAD
	n: APRIL 1 TO OCTOBE				
Diversion Means:	HEADGATE				
15		10	105	11W	BEAVERHEAD
	n: APRIL 1 TO OCTOBE	-	100		
Diversion Means:	HEADGATE				
Diversion Means.					
					AIRIE CREEK IS CONVEYED TO AN AIRIE CREEK WHICH IS USED AS A
					ARY POINTS OF DIVERSION IN THE NE OF
	SEC 5 T10S R11W, B	EAVE	RHEA	D COI	JNTY.

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SEC 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).

THE COMPANY DITCH CONVEYING WATER FROM A POINT OF DIVERSION IN NENESW OF SEC 27 T9S R12W FLOWS INTO THE PAIMENT DITCH IN THE NWNW OF SEC 1 T10S R12W.

PIERCE DITCH AND HANS PETERSON DITCH SHARE THE SAME POINT OF DIVERSION.

THE POINT OF DIVERSION IN SEC 27 T9S R12W (COMPANY DITCH) FALLS ON THE LINE IN TWO OUT OF THE THREE QUARTER SECTIONS. FOR DATABASE PURPOSES AND CONSISTENCY, THE LEGAL DESCRIPTION WILL BE THE NENESW QUARTER OF SEC 27 T9S R12W.

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>	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
4	595.00		31	9S	11W	BEAVERHEAD
5	83.00	S2N2	32	9S	11W	BEAVERHEAD
6	255.00	S2	32	9S	11W	BEAVERHEAD
7	130.00	N2	33	9S	11W	BEAVERHEAD
8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD
12	544.00		5	10S	11W	BEAVERHEAD
13	278.00	N2	6	10S	11W	BEAVERHEAD
14	17.00	NESE	6	10S	11W	BEAVERHEAD
15	3.00	N2NWSE	6	10S	11W	BEAVERHEAD
16	189.00	N2	9	10S	11W	BEAVERHEAD
17	45.00	E2SE	9	10S	11W	BEAVERHEAD
18	3.00	E2NWSE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2N2	10	10S	11W	BEAVERHEAD
20	71.00	W2SW	10	10S	11W	BEAVERHEAD
21	81.00	NE	1	10S	12W	BEAVERHEAD
Total:	3,447.00					

#### 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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/01/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 02/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 02/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS BACK INTO HORSE PRAIRIE CREEK.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95041-00 Page 5 of 5

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

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95042-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624						
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624						
<b>*Priority Date:</b>	AUGUST 1, 1880						
Type of Historical Right	: DECREED						
Purpose(use):	IRRIGATION						
Irrigation Type:	FLOOD						
Flow Rate:	8.25 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:	3,447.00						
Source Name:	HORSE PRAIRIE CREEK						
Source Type:	SURFACE WATER						
*Point of Diversion and M	Means of Diversion:						
<u>ID</u> <u>Govt I</u>							
1	SENENW 31 9S 11W BEAVERHEAD						
Diversion Means:	: APRIL 1 TO OCTOBER 31 HEADGATE						
2	NWSENW 31 9S 11W BEAVERHEAD						
	APRIL 1 TO OCTOBER 31						
Diversion Means:	HEADGATE						

MAY 9, 2013 41A 95042-00 Page 2 of 5

\*Point of Diversion and Means of Diversion:

Point of Diversion a			a	æ	ъ		
$\frac{\text{ID}}{3}$ $\frac{\text{G}}{3}$		<u>Qtr Sec</u> ESESE	<u>Sec</u> 31			<u>County</u> BEAVERHEAD	
	sion: APRIL 1 TC		-	93	1177	BEAVERHEAD	
	ns: HEADGAT		ERJI				
			20	00	4 4 1 4 1		
4			32	95	1100	BEAVERHEAD	
	sion: APRIL 1 TO		ER 31				
	ns: HEADGAT						
5	=	NWSW	-	95	11VV	BEAVERHEAD	
	sion: APRIL 1 TO		ER 31				
<b>Diversion Mean</b>							
6	SE	ESESW	32	9S	11W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 TO	O OCTOB	ER 31				
<b>Diversion Mean</b>	ns: HEADGAT	E					
7	SW	SWSW	33	9S	11W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 TO	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	ns: HEADGAT	E					
8	SE	SWSW	25	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 TO	ОСТОВ	ER 31				
<b>Diversion Mean</b>	ns: HEADGAT	E					
9	NE	ENESW	27	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 TO	ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGAT	E					
Ditch Name:	COMPANY	DITCH					
10	Ν	ESENE	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 TO	ОСТОВ	ER 31				
<b>Diversion Mea</b>	ns: HEADGAT	E					
11	NW	/SENW	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 TO	ОСТОВ	ER 31				
	ns: HEADGAT						
12		VNESE	36	9S	12W	BEAVERHEAD	
	sion: APRIL 1 TO		ER 31				
	ns: HEADGAT						
13		SWSW	26	95	1.3W	BEAVERHEAD	
	sion: APRIL 1 TO		-	00			
Diversion Mean			LICOI				
Ditch Name:	HORSE PR		REEK D	UNLA	P SPL	IT DITCH	
14			9			BEAVERHEAD	
	sion: APRIL 1 TO		•	100	1 1 4 4	BEAVERIEAD	
Diversion Mean							
15		∟ NWSW	10	108	1 1 \ \ /	BEAVERHEAD	
	sion: APRIL 1 TC		-	103	1 1 7 7		
Diversion Mea							
Diversion Mean							
						AIRIE CREEK IS CONVEYED TO AN AIRIE CREEK WHICH IS USED AS A	
	• • • • • • • • • = =					DARY POINTS OF DIVERSION IN THE NE C	DF
	SECTION (	05 T10S F	R11W, I	BEAVE	RHEA	AD COUNTY.	

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).

THE COMPANY DITCH CONVEYING WATER FROM A POINT OF DIVERSION IN NENESW OF SECTION 27 T9S R12W FLOWS INTO THE PAIMENT DITCH IN THE NWNW OF SECTION 01 T10S R12W.

PIERCE DITCH AND HANS PETERSON DITCH SHARE THE SAME POINT OF DIVERSION.

THE POINT OF DIVERSION IN SECTION 27 T9S R12W (COMPANY DITCH) FALLS ON THE LINE IN TWO OUT OF THE THREE QUARTER SECTIONS. FOR DATABASE PURPOSES AND CONSISTENCY, THE LEGAL DESCRIPTION WILL BE THE NENESW QUARTER OF SECTION 27 T9S R12W.

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>	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
4	595.00		31	9S	11W	BEAVERHEAD
5	83.00	S2N2	32	9S	11W	BEAVERHEAD
6	255.00	S2	32	9S	11W	BEAVERHEAD
7	130.00	N2	33	9S	11W	BEAVERHEAD
8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD
12	544.00		5	10S	11W	BEAVERHEAD
13	278.00	N2	6	10S	11W	BEAVERHEAD
14	17.00	NESE	6	10S	11W	BEAVERHEAD
15	3.00	N2NWSE	6	10S	11W	BEAVERHEAD
16	189.00	N2	9	10S	11W	BEAVERHEAD
17	45.00	E2SE	9	10S	11W	BEAVERHEAD
18	3.00	E2NWSE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2N2	10	10S	11W	BEAVERHEAD
20	71.00	W2SW	10	10S	11W	BEAVERHEAD
21	81.00	NE	1	10S	12W	BEAVERHEAD
Total:	3,447.00					

#### 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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS BACK INTO HORSE PRAIRIE CREEK.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95042-00 Page 5 of 5

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

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95043-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624						
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624						
Priority Date:	AUGUST 1, 1880						
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:	3,447.00						
Source Name:	HORSE PRAIRIE CREEK						
Source Type:	SURFACE WATER						
*Point of Diversion and Means of Diversion:							
<u>ID</u> <u>Govt I</u>							
1	SENENW 31 9S 11W BEAVERHEAD						
	: APRIL 1 TO OCTOBER 31 HEADGATE						
Diversion Means: 2	NWSENW 31 9S 11W BEAVERHEAD						
	APRIL 1 TO OCTOBER 31						
Diversion Means:	HEADGATE						
2.1.01.01011.1.00011.00							

MAY 9, 2013 41A 95043-00 Page 2 of 5

\*Point of Diversion and Means of Diversion:

Point of Diversion and M		<b>C</b>	<b>T</b>	<b>D</b>	Course for			
<u>ID</u> 3 <u>Govt L</u>	ot <u>Qtr Sec</u> NESESE	<u>Sec</u> 31			<u>County</u> BEAVERHEAD			
		•	30	1 1 7 7				
Period of Diversion: APRIL 1 TO OCTOBER 31 Diversion Means: HEADGATE								
4		32	20	1 1 \ \/	BEAVERHEAD			
•	APRIL 1 TO OCTOB		90	1 1 7 7	BEAVERIEAD			
Diversion Means:								
		22	00	4 4 \ \ \ /	BEAVERHEAD			
5	NENWSW	32	93	1100	BEAVERNEAD			
	APRIL 1 TO OCTOB HEADGATE	DER SI						
_		22	00	4 4 1 4 /				
6	SESESW		93	1100	BEAVERHEAD			
	APRIL 1 TO OCTOB	ER 31						
	HEADGATE	00	~~	4 4 1 4 1				
7	SWSWSW	33	95	1100	BEAVERHEAD			
	APRIL 1 TO OCTOB	SER 31						
Diversion Means:	HEADGATE	05	~~~	40144				
8	SESWSW	25	95	1200	BEAVERHEAD			
	APRIL 1 TO OCTOB	3ER 31						
Diversion Means:	_	07	~~~	40144				
9	NENESW	27	95	1200	BEAVERHEAD			
	APRIL 1 TO OCTOB	3ER 31						
	HEADGATE							
	COMPANY DITCH		~~~	40144				
10	NESENE	36	95	1200	BEAVERHEAD			
	APRIL 1 TO OCTOB	3ER 31						
<b>Diversion Means:</b>								
11	NWSENW	36	95	1200	BEAVERHEAD			
	APRIL 1 TO OCTOB	3ER 31						
<b>Diversion Means:</b>								
12	NWNESE	36	9S	12W	BEAVERHEAD			
	APRIL 1 TO OCTOB	3ER 31						
<b>Diversion Means:</b>								
13	SWSWSW	26	9S	13W	BEAVERHEAD			
	APRIL 1 TO OCTOB	3ER 31						
Diversion Means:	HEADGATE							
Ditch Name:	HORSE PRAIRIE CI							
14		9	10S	11W	BEAVERHEAD			
	APRIL 1 TO OCTOB	3ER 31						
<b>Diversion Means:</b>	HEADGATE							
15	NWNWSW	10	10S	11W	BEAVERHEAD			
	APRIL 1 TO OCTOB	3ER 31						
<b>Diversion Means:</b>	HEADGATE							
WATER DIVERTED FROM HORSE PRAIRIE CREEK IS CONVEYED TO AN UNNAMED TRIBUTARY OF HORSE PRAIRIE CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION IN THE NE OF SECTION 05 T10S R11W, BEAVERHEAD COUNTY.								

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).

THE COMPANY DITCH CONVEYING WATER FROM A POINT OF DIVERSION IN NENESW OF SECTION 27 T9S R12W FLOWS INTO THE PAIMENT DITCH IN THE NWNW OF SECTION 01 T10S R12W.

PIERCE DITCH AND HANS PETERSON DITCH SHARE THE SAME POINT OF DIVERSION.

THE POINT OF DIVERSION IN SECTION 27 T9S R12W (COMPANY DITCH) FALLS ON THE LINE IN TWO OUT OF THE THREE QUARTER SECTIONS. FOR DATABASE PURPOSES AND CONSISTENCY, THE LEGAL DESCRIPTION WILL BE THE NENESW QUARTER OF SECTION 27 T9S R12W.

Period of Use: APRIL 1 TO OCTOBER 31

#### **Place of Use:**

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
4	595.00		31	9S	11W	BEAVERHEAD
5	83.00	S2N2	32	9S	11W	BEAVERHEAD
6	255.00	S2	32	9S	11W	BEAVERHEAD
7	130.00	N2	33	9S	11W	BEAVERHEAD
8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD
12	544.00		5	10S	11W	BEAVERHEAD
13	278.00	N2	6	10S	11W	BEAVERHEAD
14	17.00	NESE	6	10S	11W	BEAVERHEAD
15	3.00	N2NWSE	6	10S	11W	BEAVERHEAD
16	189.00	N2	9	10S	11W	BEAVERHEAD
17	45.00	E2SE	9	10S	11W	BEAVERHEAD
18	3.00	E2NWSE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2N2	10	10S	11W	BEAVERHEAD
20	71.00	W2SW	10	10S	11W	BEAVERHEAD
21	81.00	NE	1	10S	12W	BEAVERHEAD
Total:	3,447.00					

#### 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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS BACK INTO HORSE PRAIRIE CREEK

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN, MT 59771-1389.

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95044-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
Priority Date:	MAY 15, 1881					
Type of Historical Right	: DECREED					
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:	3,447.00					
Source Name:	HORSE PRAIRIE CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and M	Means of Diversion:					
ID Govt I						
1	SENENW 31 9S 11W BEAVERHEAD					
	: APRIL 1 TO OCTOBER 31					
<b>Diversion Means:</b>	HEADGATE					
2	NWSENW 31 9S 11W BEAVERHEAD					
	: APRIL 1 TO OCTOBER 31					
<b>Diversion Means:</b>	HEADGATE					

MAY 9, 2013 41A 95044-00 Page 2 of 5

\*Point of Diversion and Means of Diversion:

Found of Diversion and w							
ID 3Govt L	ot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NESESE 31 9S 11W BEAVERHEAD						
Period of Diversion:	APRIL 1 TO OCTOBER 31						
<b>Diversion Means:</b>	HEADGATE						
4	SWSESE 32 9S 11W BEAVERHEAD						
Period of Diversion:	APRIL 1 TO OCTOBER 31						
Diversion Means:							
5	NENWSW 32 9S 11W BEAVERHEAD						
	APRIL 1 TO OCTOBER 31						
	HEADGATE						
6	SESESW 32 9S 11W BEAVERHEAD						
-							
	APRIL 1 TO OCTOBER 31						
Diversion Means:							
7	SWSWSW 33 9S 11W BEAVERHEAD						
	APRIL 1 TO OCTOBER 31						
<b>Diversion Means:</b>	HEADGATE						
8	SESWSW 25 9S 12W BEAVERHEAD						
Period of Diversion:	APRIL 1 TO OCTOBER 31						
<b>Diversion Means:</b>	HEADGATE						
9	NENESW 27 9S 12W BEAVERHEAD						
Period of Diversion:	APRIL 1 TO OCTOBER 31						
<b>Diversion Means:</b>	HEADGATE						
Ditch Name:	COMPANY DITCH						
10	NESENE 36 9S 12W BEAVERHEAD						
	APRIL 1 TO OCTOBER 31						
Diversion Means:							
11	NWSENW 36 9S 12W BEAVERHEAD						
	APRIL 1 TO OCTOBER 31						
Diversion Means:	HEADGATE						
12	NWNESE 36 9S 12W BEAVERHEAD						
	APRIL 1 TO OCTOBER 31						
Diversion Means:							
13	SWSWSW 26 9S 13W BEAVERHEAD						
	APRIL 1 TO OCTOBER 31						
<b>Diversion Means:</b>	HEADGATE						
Ditch Name:	HORSE PRAIRIE CREEK DUNLAP SPLIT DITCH						
14	NESENE 9 10S 11W BEAVERHEAD						
Period of Diversion:	APRIL 1 TO OCTOBER 31						
<b>Diversion Means:</b>	HEADGATE						
15	NWNWSW 10 10S 11W BEAVERHEAD						
Period of Diversion:	APRIL 1 TO OCTOBER 31						
<b>Diversion Means:</b>	HEADGATE						
WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).							

THE COMPANY DITCH CONVEYING WATER FROM A POINT OF DIVERSION IN NENESW OF SECTION 27 T9S R12W FLOWS INTO THE PAIMENT DITCH IN THE NWNW OF SECTION 01 T10S R12W.

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PIERCE DITCH AND HANS PETERSON DITCH SHARE THE SAME POINT OF DIVERSION.

Period of Use: APRIL 1 TO OCTOBER 31

#### Place of Use:

ID	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	County
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
4	595.00		31	9S	11W	BEAVERHEAD
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8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD
12	544.00		5	10S	11W	BEAVERHEAD
13	278.00	N2	6	10S	11W	BEAVERHEAD
14	17.00	NESE	6	10S	11W	BEAVERHEAD
15	3.00	N2NWSE	6	10S	11W	BEAVERHEAD
16	189.00	N2	9	10S	11W	BEAVERHEAD
17	45.00	E2SE	9	10S	11W	BEAVERHEAD
18	3.00	E2NWSE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2N2	10	10S	11W	BEAVERHEAD
20	71.00	W2SW	10	10S	11W	BEAVERHEAD
21	81.00	NE	1	10S	12W	BEAVERHEAD
Total:	3,447.00					

#### Remarks:

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95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS BACK INTO HORSE PRAIRIE CREEK.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95044-00 Page 5 of 5

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

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

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

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

Water Right Number:	<b>41A 95045-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE					
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
Priority Date:	MAY 1, 1882					
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:	3,447.00					
Source Name:	HORSE PRAIRIE CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and M	Means of Diversion:					
<u>ID</u> <u>Govt I</u>						
1	SENENW 31 9S 11W BEAVERHEAD					
Period of Diversion Diversion Means:	: APRIL 1 TO OCTOBER 31 HEADGATE					
2	NWSENW 31 9S 11W BEAVERHEAD					
	: APRIL 1 TO OCTOBER 31					
<b>Diversion Means:</b>	HEADGATE					

MAY 9, 2013 41A 95045-00 Page 2 of 5

\*Point of Diversion and Means of Diversion:

Point of Diversion a			a	æ	n	<b>a</b> (	
$\frac{\text{ID}}{3}$ $\frac{\text{Ge}}{3}$	<u>ovt Lot</u>	<u>Qtr Sec</u> NESESE	<u>Sec</u> 31			<u>County</u> BEAVERHEAD	
	ہ sion: APRIL 1 T		• •	93	1100	DEAVERNEAD	
	sion: APRIL I I is: HEADGA <sup>-</sup>		ER 31				
			22	00	4 4 1 4 /		
4	-			95	1100	BEAVERHEAD	
	sion: APRIL 1 T		ER 31				
Diversion Mean							
5				95	11VV	BEAVERHEAD	
	sion: APRIL 1 T		ER 31				
Diversion Mean							
6				9S	11W	BEAVERHEAD	
	sion: APRIL 1 T		ER 31				
Diversion Mean	s: HEADGA	ΓE					
7	SV	VSWSW	33	9S	11W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
8	SI	ESWSW	25	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
9	N	ENESW	27	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
Ditch Name:	COMPAN	Y DITCH					
10	1	NESENE	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
11	N	NSENW	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mea</b>	s: HEADGA	ГЕ					
12	Ν	WNESE	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mea</b>	s: HEADGA	ГЕ					
13		VSWSW	26	9S	13W	BEAVERHEAD	
	sion: APRIL 1 T	О ОСТОВ	ER 31				
Diversion Mean							
Ditch Name:	HORSE P	RAIRIE CI	REEK D	UNLA	P SPL	IT DITCH	
14	1	VESENE	9	10S	11W	BEAVERHEAD	
	sion: APRIL 1 T						
Diversion Mean			21101				
15		VNWSW	10	105	11\//	BEAVERHEAD	
	sion: APRIL 1 T			100			
Diversion Mean							
						IRIE CREEK IS CON AIRIE CREEK WHICH	
							ERSION IN THE NE OF
						D COUNTY.	-

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).

THE COMPANY DITCH CONVEYING WATER FROM A POINT OF DIVERSION IN NENESW OF SECTION 27 T9S R12W FLOWS INTO THE PAIMENT DITCH IN THE NWNW OF SECTION 01 T10S R12W.

PIERCE DITCH AND HANS PETERSON DITCH SHARE THE SAME POINT OF DIVERSION.

THE POINT OF DIVERSION IN SECTION 27 T9S R12W (COMPANY DITCH) FALLS ON THE LINE IN TWO OUT OF THE THREE QUARTER SECTIONS. FOR DATABASE PURPOSES AND CONSISTENCY, THE LEGAL DESCRIPTION WILL BE THE NENESW QUARTER OF SECTION 27 T9S R12W.

Period of Use: APRIL 1 TO OCTOBER 31

#### **Place of Use:**

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
4	595.00		31	9S	11W	BEAVERHEAD
5	83.00	S2N2	32	9S	11W	BEAVERHEAD
6	255.00	S2	32	9S	11W	BEAVERHEAD
7	130.00	N2	33	9S	11W	BEAVERHEAD
8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD
12	544.00		5	10S	11W	BEAVERHEAD
13	278.00	N2	6	10S	11W	BEAVERHEAD
14	17.00	NESE	6	10S	11W	BEAVERHEAD
15	3.00	N2NWSE	6	10S	11W	BEAVERHEAD
16	189.00	N2	9	10S	11W	BEAVERHEAD
17	45.00	E2SE	9	10S	11W	BEAVERHEAD
18	3.00	E2NWSE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2N2	10	10S	11W	BEAVERHEAD
20	71.00	W2SW	10	10S	11W	BEAVERHEAD
21	81.00	NE	1	10S	12W	BEAVERHEAD
Total:	3,447.00					

#### 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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS BACK INTO HORSE PRAIRIE CREEK.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95045-00 Page 5 of 5

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

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

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

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

Water Right Number:	<b>41A 95046-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT						
	Version: 1 ORIGINAL RIGHT Status: ACTIVE						
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624						
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624						
Priority Date:	MAY 1, 1883						
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:	3,447.00						
Source Name:	HORSE PRAIRIE CREEK						
Source Type:	SURFACE WATER						
*Point of Diversion and M	Means of Diversion:						
<u>ID</u> <u>Govt I</u>							
1 Dowing of Diversion	SENENW 31 9S 11W BEAVERHEAD : APRIL 1 TO OCTOBER 31						
Diversion Means:	HEADGATE						
2	NWSENW 31 9S 11W BEAVERHEAD						
	: APRIL 1 TO OCTOBER 31						
<b>Diversion Means:</b>	HEADGATE						

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\*Point of Diversion and Means of Diversion:

Point of Diversion a			a	æ	n	<b>a</b> (	
$\frac{\text{ID}}{3}$ $\frac{\text{Ge}}{3}$	<u>ovt Lot</u>	<u>Qtr Sec</u> NESESE	<u>Sec</u> 31			<u>County</u> BEAVERHEAD	
	ہ sion: APRIL 1 T		• •	93	1100	DEAVERNEAD	
	sion: APRIL I I is: HEADGA <sup>-</sup>		ER 31				
			22	00	4 4 1 4 /		
4	-			95	1100	BEAVERHEAD	
	sion: APRIL 1 T		ER 31				
Diversion Mean							
5				95	11VV	BEAVERHEAD	
	sion: APRIL 1 T		ER 31				
Diversion Mean							
6				9S	11W	BEAVERHEAD	
	sion: APRIL 1 T		ER 31				
Diversion Mean	s: HEADGA	ΓE					
7	SV	VSWSW	33	9S	11W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
8	SI	ESWSW	25	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
9	N	ENESW	27	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
Ditch Name:	COMPAN	Y DITCH					
10	1	NESENE	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
11	N	NSENW	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mea</b>	s: HEADGA	ГЕ					
12	Ν	WNESE	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mea</b>	s: HEADGA	ГЕ					
13		VSWSW	26	9S	13W	BEAVERHEAD	
	sion: APRIL 1 T	О ОСТОВ	ER 31				
Diversion Mean							
Ditch Name:	HORSE P	RAIRIE CI	REEK D	UNLA	P SPL	IT DITCH	
14	1	VESENE	9	10S	11W	BEAVERHEAD	
	sion: APRIL 1 T						
Diversion Mean			21101				
15		VNWSW	10	105	11\//	BEAVERHEAD	
	sion: APRIL 1 T			100			
Diversion Mean							
						IRIE CREEK IS CON AIRIE CREEK WHICH	
							ERSION IN THE NE OF
						D COUNTY.	-

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).

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Period of Use: APRIL 1 TO OCTOBER 31

#### **Place of Use:**

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
4	595.00		31	9S	11W	BEAVERHEAD
5	83.00	S2N2	32	9S	11W	BEAVERHEAD
6	255.00	S2	32	9S	11W	BEAVERHEAD
7	130.00	N2	33	9S	11W	BEAVERHEAD
8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD
12	544.00		5	10S	11W	BEAVERHEAD
13	278.00	N2	6	10S	11W	BEAVERHEAD
14	17.00	NESE	6	10S	11W	BEAVERHEAD
15	3.00	N2NWSE	6	10S	11W	BEAVERHEAD
16	189.00	N2	9	10S	11W	BEAVERHEAD
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18	3.00	E2NWSE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2N2	10	10S	11W	BEAVERHEAD
20	71.00	W2SW	10	10S	11W	BEAVERHEAD
21	81.00	NE	1	10S	12W	BEAVERHEAD
Total:	3,447.00					

#### Remarks:

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95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS BACK INTO HORSE PRAIRIE CREEK.

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# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95047-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
Priority Date:	MAY 1, 1883					
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:	3,447.00					
Source Name:	HORSE PRAIRIE CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and N	Aeans of Diversion:					
<u>ID</u> <u>Govt I</u>						
1	SENENW 31 9S 11W BEAVERHEAD					
Diversion Means:	: APRIL 1 TO OCTOBER 31 HEADGATE					
2	NWSENW 31 9S 11W BEAVERHEAD					
	: APRIL 1 TO OCTOBER 31					
Diversion Means:	HEADGATE					

MAY 9, 2013 41A 95047-00 Page 2 of 5

\*Point of Diversion and Means of Diversion:

Point of Diversion a			a	æ	n	<b>a</b> (	
$\frac{\text{ID}}{3}$ $\frac{\text{Ge}}{3}$	<u>ovt Lot</u>	<u>Qtr Sec</u> NESESE	<u>Sec</u> 31			<u>County</u> BEAVERHEAD	
	ہ sion: APRIL 1 T		• •	93	1100	DEAVERNEAD	
	sion: APRIL I I is: HEADGA <sup>-</sup>		ER 31				
			22	00	4 4 1 4 /		
4	-			95	1100	BEAVERHEAD	
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Diversion Mean							
5				95	11VV	BEAVERHEAD	
	sion: APRIL 1 T		ER 31				
Diversion Mean							
6				9S	11W	BEAVERHEAD	
	sion: APRIL 1 T		ER 31				
Diversion Mean	s: HEADGA	ΓE					
7	SV	VSWSW	33	9S	11W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
8	SI	ESWSW	25	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
9	N	ENESW	27	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
Ditch Name:	COMPAN	Y DITCH					
10	1	NESENE	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
11	N	NSENW	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mea</b>	s: HEADGA	ГЕ					
12	Ν	WNESE	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mea</b>	s: HEADGA	ГЕ					
13		VSWSW	26	9S	13W	BEAVERHEAD	
	sion: APRIL 1 T	О ОСТОВ	ER 31				
Diversion Mean							
Ditch Name:	HORSE P	RAIRIE CI	REEK D	UNLA	P SPL	IT DITCH	
14	1	VESENE	9	10S	11W	BEAVERHEAD	
	sion: APRIL 1 T						
Diversion Mean			21101				
15		VNWSW	10	105	11\//	BEAVERHEAD	
	sion: APRIL 1 T			100			
Diversion Mean							
						IRIE CREEK IS CON AIRIE CREEK WHICH	
							ERSION IN THE NE OF
						D COUNTY.	-

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).

THE COMPANY DITCH CONVEYING WATER FROM A POINT OF DIVERSION IN NENESW OF SECTION 27 T9S R12W FLOWS INTO THE PAIMENT DITCH IN THE NWNW OF SECTION 01 T10S R12W.

PIERCE DITCH AND HANS PETERSON DITCH SHARE THE SAME POINT OF DIVERSION.

THE POINT OF DIVERSION IN SECTION 27 T9S R12W (COMPANY DITCH) FALLS ON THE LINE IN TWO OUT OF THE THREE QUARTER SECTIONS. FOR DATABASE PURPOSES AND CONSISTENCY, THE LEGAL DESCRIPTION WILL BE THE NENESW QUARTER OF SECTION 27 T9S R12W.

Period of Use: APRIL 1 TO OCTOBER 31

#### **Place of Use:**

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
4	595.00		31	9S	11W	BEAVERHEAD
5	83.00	S2N2	32	9S	11W	BEAVERHEAD
6	255.00	S2	32	9S	11W	BEAVERHEAD
7	130.00	N2	33	9S	11W	BEAVERHEAD
8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD
12	544.00		5	10S	11W	BEAVERHEAD
13	278.00	N2	6	10S	11W	BEAVERHEAD
14	17.00	NESE	6	10S	11W	BEAVERHEAD
15	3.00	N2NWSE	6	10S	11W	BEAVERHEAD
16	189.00	N2	9	10S	11W	BEAVERHEAD
17	45.00	E2SE	9	10S	11W	BEAVERHEAD
18	3.00	E2NWSE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2N2	10	10S	11W	BEAVERHEAD
20	71.00	W2SW	10	10S	11W	BEAVERHEAD
21	81.00	NE	1	10S	12W	BEAVERHEAD
Total:	3,447.00					

#### 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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS BACK INTO HORSE PRAIRIE CREEK.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95047-00 Page 5 of 5

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

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

### **IMPORTANT NOTICE**

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

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

Water Right Number:	<b>41A 95048-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
Priority Date:	MAY 1, 1883					
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:	3,447.00					
Source Name:	HORSE PRAIRIE CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and M	Means of Diversion:					
<u>ID</u> <u>Govt I</u>						
1	SENENW 31 9S 11W BEAVERHEAD					
	: APRIL 1 TO OCTOBER 31					
Diversion Means: 2	HEADGATE NWSENW 31 9S 11W BEAVERHEAD					
	: APRIL 1 TO OCTOBER 31					
Diversion Means:	HEADGATE					

MAY 9, 2013 41A 95048-00 Page 2 of 5

\*Point of Diversion and Means of Diversion:

To Diversion and M		C	<b>T</b>	<b>D</b>	Commentary (Commentary)
<u>ID</u> 3 <u>Govt L</u>	ot <u>Qtr Sec</u> NESESE	<u>Sec</u> 31			<u>County</u> BEAVERHEAD
	APRIL 1 TO OCTOB	•	30	1 1 7 7	
Diversion Means:					
4		32	20	11\//	BEAVERHEAD
•	APRIL 1 TO OCTOB		50	1 1 4 4	DEAVERIEAD
Diversion Means:					
5	NENWSW	32	20	11\//	BEAVERHEAD
	APRIL 1 TO OCTOB		30	1 1 7 7	
	HEADGATE				
6	SESESW	30	20	11\//	BEAVERHEAD
-	APRIL 1 TO OCTOB		90	1 1 7 7	BEAVERIEAD
	HEADGATE	EK 31			
7	SWSWSW	22	00	4 4 \ \ \ /	
•	APRIL 1 TO OCTOB	33	93	1100	BEAVERHEAD
Diversion Means:	HEADGATE	EK 31			
		25	00	1014/	
8 Danied of Dimensione	SESWSW APRIL 1 TO OCTOB	25	93	1200	BEAVERHEAD
Diversion Means:		ER 31			
9	NENESW	07	00	40144	
-		27	93	1200	BEAVERHEAD
	APRIL 1 TO OCTOB HEADGATE	ERSI			
	COMPANY DITCH				
10	NESENE	36	08	10\//	BEAVERHEAD
-	APRIL 1 TO OCTOB		93	1200	BEAVERNEAD
Diversion Means:		ERSI			
	NWSENW	26	00	1014/	BEAVERHEAD
11 Danied of Dimensione		36	93	1200	BEAVERNEAD
Diversion Means:	APRIL 1 TO OCTOB	ER 31			
		26	00	1014/	
12	NWNESE	36	95	1200	BEAVERHEAD
	APRIL 1 TO OCTOB	ER 31			
Diversion Means:		00	00	40144	
13 Decision of Discussion	SWSWSW	26	95	1300	BEAVERHEAD
	APRIL 1 TO OCTOB	ER 31			
Diversion Means:	HEADGATE HORSE PRAIRIE CI	סבבע ר		ם פסו	
Ditch Name:					BEAVERHEAD
14		9	105	1100	BEAVERNEAD
	APRIL 1 TO OCTOB	ER 31			
Diversion Means:	HEADGATE	40	400	4 4 1 4 1	
15	NWNWSW		105	1100	BEAVERHEAD
	APRIL 1 TO OCTOB	ER 31			
<b>Diversion Means:</b>	HEADGATE				
	UNNAMED TRIBUT/	ARY OF	HOR	SE PR	AIRIE CREEK IS CONVEYED TO AN AIRIE CREEK WHICH IS USED AS A DARY POINTS OF DIVERSION IN THE NE OF
	SECTION 05 T10S F				

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).

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12	544.00		5	10S	11W	BEAVERHEAD
13	278.00	N2	6	10S	11W	BEAVERHEAD
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95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

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# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	<b>41A 95049-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
Priority Date:	MAY 1, 1883					
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:	3,447.00					
Source Name:	HORSE PRAIRIE CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and I	Means of Diversion:					
<u>ID</u> <u>Govt</u>						
1	SENENW 31 9S 11W BEAVERHEAD					
	: APRIL 1 TO OCTOBER 31					
<b>Diversion Means:</b> 2	HEADGATE NWSENW 31 9S 11W BEAVERHEAD					
	APRIL 1 TO OCTOBER 31					
Diversion Means:	HEADGATE					

MAY 9, 2013 41A 95049-00 Page 2 of 5

\*Point of Diversion and Means of Diversion:

Point of Diversion a			a	æ	n	<b>a</b> (	
$\frac{\text{ID}}{3}$ $\frac{\text{Ge}}{3}$	<u>ovt Lot</u>	<u>Qtr Sec</u> NESESE	<u>Sec</u> 31			<u>County</u> BEAVERHEAD	
	ہ sion: APRIL 1 T		• •	93	1100	DEAVERNEAD	
	sion: APRIL I I is: HEADGA <sup>-</sup>		ER 31				
			22	00	4 4 1 4 /		
4	-			95	1100	BEAVERHEAD	
	sion: APRIL 1 T		ER 31				
Diversion Mean							
5				95	11VV	BEAVERHEAD	
	sion: APRIL 1 T		ER 31				
Diversion Mean							
6				9S	11W	BEAVERHEAD	
	sion: APRIL 1 T		ER 31				
Diversion Mean	s: HEADGA	ΓE					
7	SV	VSWSW	33	9S	11W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
8	SI	ESWSW	25	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
9	N	ENESW	27	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
Ditch Name:	COMPAN	Y DITCH					
10	1	NESENE	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
11	N	NSENW	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mea</b>	s: HEADGA	ГЕ					
12	Ν	WNESE	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mea</b>	s: HEADGA	ГЕ					
13		VSWSW	26	9S	13W	BEAVERHEAD	
	sion: APRIL 1 T	О ОСТОВ	ER 31				
Diversion Mean							
Ditch Name:	HORSE P	RAIRIE CI	REEK D	UNLA	P SPL	IT DITCH	
14	1	VESENE	9	10S	11W	BEAVERHEAD	
	sion: APRIL 1 T						
Diversion Mean			21101				
15		VNWSW	10	105	11\//	BEAVERHEAD	
	sion: APRIL 1 T			100			
Diversion Mean							
						IRIE CREEK IS CON AIRIE CREEK WHICH	
							ERSION IN THE NE OF
						D COUNTY.	-

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).

THE COMPANY DITCH CONVEYING WATER FROM A POINT OF DIVERSION IN NENESW OF SECTION 27 T9S R12W FLOWS INTO THE PAIMENT DITCH IN THE NWNW OF SECTION 01 T10S R12W.

PIERCE DITCH AND HANS PETERSON DITCH SHARE THE SAME POINT OF DIVERSION.

THE POINT OF DIVERSION IN SECTION 27 T9S R12W (COMPANY DITCH) FALLS ON THE LINE IN TWO OUT OF THE THREE QUARTER SECTIONS. FOR DATABASE PURPOSES AND CONSISTENCY, THE LEGAL DESCRIPTION WILL BE THE NENESW QUARTER OF SECTION 27 T9S R12W.

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>	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
4	595.00		31	9S	11W	BEAVERHEAD
5	83.00	S2N2	32	9S	11W	BEAVERHEAD
6	255.00	S2	32	9S	11W	BEAVERHEAD
7	130.00	N2	33	9S	11W	BEAVERHEAD
8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD
12	544.00		5	10S	11W	BEAVERHEAD
13	278.00	N2	6	10S	11W	BEAVERHEAD
14	17.00	NESE	6	10S	11W	BEAVERHEAD
15	3.00	N2NWSE	6	10S	11W	BEAVERHEAD
16	189.00	N2	9	10S	11W	BEAVERHEAD
17	45.00	E2SE	9	10S	11W	BEAVERHEAD
18	3.00	E2NWSE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2N2	10	10S	11W	BEAVERHEAD
20	71.00	W2SW	10	10S	11W	BEAVERHEAD
21	81.00	NE	1	10S	12W	BEAVERHEAD
Total:	3,447.00					

#### 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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS BACK INTO HORSE PRAIRIE CREEK.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95049-00 Page 5 of 5

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

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95050-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
Priority Date:	SEPTEMBER 8, 1883				
Type of Historical Right: DECREED					
Purpose(use):	IRRIGATION				
Irrigation Type:	FLOOD				
Flow Rate:	4.23 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:	3,447.00				
Source Name:	HORSE PRAIRIE CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and Means of Diversion:					
<u>ID</u> <u>Govt I</u>					
1	SENENW 31 9S 11W BEAVERHEAD				
	APRIL 1 TO OCTOBER 31				
Diversion Means:	HEADGATE				
2	NWSENW 31 9S 11W BEAVERHEAD				
	APRIL 1 TO OCTOBER 31				
<b>Diversion Means:</b>	HEADGATE				

MAY 9, 2013 41A 95050-00 Page 2 of 5

\*Point of Diversion and Means of Diversion:

Point of Diversion a			G	æ	ъ		
$\frac{\text{ID}}{3}$ $\frac{\text{Ge}}{3}$		<u>Qtr Sec</u> ESESE	<u>Sec</u> 31			<u>County</u> BEAVERHEAD	
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	sion: AFRIL 110		ERDI				
			00	00	4 4 1 4 1		
4	÷		32	95	1100	BEAVERHEAD	
	sion: APRIL 1 TO		ER 31				
	ns: HEADGATE						
5		NWSW	-	95	11VV	BEAVERHEAD	
	sion: APRIL 1 TO		ER 31				
Diversion Mean							
6	SE	SESW	32	9S	11W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 TO	OCTOB	ER 31				
Diversion Mean	ns: HEADGATE						
7	SWS	SWSW	33	9S	11W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 TO	OCTOB	ER 31				
<b>Diversion Mean</b>	ns: HEADGATE	-					
8	SES	SWSW	25	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 TO	OCTOB	ER 31				
<b>Diversion Mean</b>	ns: HEADGATE	Ξ					
9	NE	NESW	27	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 TO	остов	ER 31				
<b>Diversion Mean</b>	s: HEADGATE						
Ditch Name:	COMPANY	DITCH					
10	NE	SENE	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 TO	остов	ER 31				
<b>Diversion Mea</b>	s: HEADGATE	E					
11	NW	SENW	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 TO	остов	ER 31				
	s: HEADGATE						
12		/NESE	36	9S	12W	BEAVERHEAD	
	sion: APRIL 1 TO	OCTOB	ER 31				
	s: HEADGATE						
13		SWSW	26	95	1.3W	BEAVERHEAD	
	sion: APRIL 1 TO		-	00			
Diversion Mean							
Ditch Name:	HORSE PR		REEK D	UNLA	P SPLI	IT DITCH	
14			9			BEAVERHEAD	
	sion: APRIL 1 TO		•	100	1 1 7 7	BERVEINIERD	
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15		- NWSW	10	100	11\\/	BEAVERHEAD	
	sion: APRIL 1 TO		-	103	1 1 7 7		
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						AIRIE CREEK IS CONVEYED TO AN AIRIE CREEK WHICH IS USED AS A	
						DARY POINTS OF DIVERSION IN THE NE OF	=
	SECTION 0	5 T10S R	11W, I	BEAVE	RHEA	AD COUNTY.	

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).

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Period of Use: APRIL 1 TO OCTOBER 31

#### **Place of Use:**

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
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3	131.00	SW	30	9S	11W	BEAVERHEAD
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10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD
12	544.00		5	10S	11W	BEAVERHEAD
13	278.00	N2	6	10S	11W	BEAVERHEAD
14	17.00	NESE	6	10S	11W	BEAVERHEAD
15	3.00	N2NWSE	6	10S	11W	BEAVERHEAD
16	189.00	N2	9	10S	11W	BEAVERHEAD
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18	3.00	E2NWSE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2N2	10	10S	11W	BEAVERHEAD
20	71.00	W2SW	10	10S	11W	BEAVERHEAD
21	81.00	NE	1	10S	12W	BEAVERHEAD
Total:	3,447.00					

#### Remarks:

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95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, MAXIMUM ACRES.

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# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95051-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT Status: ACTIVE				
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
Priority Date:	OCTOBER 15, 1883				
Type of Historical Right: DECREED					
Purpose(use):	IRRIGATION				
Irrigation Type:	FLOOD				
Flow Rate:	5.45 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:	3,447.00				
Source Name:	HORSE PRAIRIE CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and Means of Diversion:					
<u>ID</u> <u>Govt I</u>					
1	SENENW 31 9S 11W BEAVERHEAD				
	: APRIL 1 TO OCTOBER 31				
Diversion Means:					
2 Decis 1 of Direction	NWSENW 31 9S 11W BEAVERHEAD				
Diversion Means:	: APRIL 1 TO OCTOBER 31 HEADGATE				
Diversion means:					

MAY 9, 2013 41A 95051-00 Page 2 of 5

\*Point of Diversion and Means of Diversion:

Point of Diversion and M		a	æ	ъ	
<u>ID</u> 3 <u>Govt L</u>	ot <u>Qtr Sec</u> NESESE	<u>Sec</u> 31			<u>County</u> BEAVERHEAD
	APRIL 1 TO OCTOB		90	1100	BEAVERIEAD
Diversion Means:					
4		32	20	11\//	BEAVERHEAD
•	APRIL 1 TO OCTOB		90	1177	BEAVERIEAD
Diversion Means:					
5	NENWSW	32	00	4 4 \ \ \ /	BEAVERHEAD
	APRIL 1 TO OCTOB		93	1100	BEAVERNEAD
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<b>Diversion Means:</b>	HEADGATE	00	00	4 4 1 4 1	
7	SWSWSW	33	95	1100	BEAVERHEAD
	APRIL 1 TO OCTOB	SER 31			
Diversion Means:	HEADGATE	05	~~~	40144	
8	SESWSW	25	95	1200	BEAVERHEAD
	APRIL 1 TO OCTOB	SER 31			
Diversion Means:		07	00	40144	
9	NENESW	27	95	1200	BEAVERHEAD
	APRIL 1 TO OCTOB	SER 31			
Diversion Means:	HEADGATE COMPANY DITCH				
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10 Derived of Direction	NESENE	36	95	1200	BEAVERHEAD
Diversion Means:	APRIL 1 TO OCTOB	EK 31			
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	NWSENW	36	93	1200	BEAVERHEAD
	APRIL 1 TO OCTOB HEADGATE	ER 31			
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		26	00	10\\/	BEAVERHEAD
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Diversion Means:	APRIL 1 TO OCTOB HEADGATE	ER 31			
Diversion Means: Ditch Name:	HORSE PRAIRIE CI	סבבע ר		ם כםו	
	NESENE				BEAVERHEAD
14 Deviad of Diversions	APRIL 1 TO OCTOB	-	103	1100	BEAVERIEAD
Diversion Means:	HEADGATE	DER SI			
		10	400	4 4 1 4 /	
15 Devial of Direction	-	10	105	1100	BEAVERHEAD
	APRIL 1 TO OCTOB	EK 31			
<b>Diversion Means:</b>	HEADGATE				
	UNNAMED TRIBUT	ARY OF R TO TV	HORS	SE PR COND	AIRIE CREEK IS CONVEYED TO AN AIRIE CREEK WHICH IS USED AS A DARY POINTS OF DIVERSION IN THE NE OF AD COUNTY.

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).

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Period of Use: APRIL 1 TO OCTOBER 31

#### **Place of Use:**

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
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12	544.00		5	10S	11W	BEAVERHEAD
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14	17.00	NESE	6	10S	11W	BEAVERHEAD
15	3.00	N2NWSE	6	10S	11W	BEAVERHEAD
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20	71.00	W2SW	10	10S	11W	BEAVERHEAD
21	81.00	NE	1	10S	12W	BEAVERHEAD
Total:	3,447.00					

### 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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS BACK INTO HORSE PRAIRIE CREEK.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

WATER RIGHTS 41A 95025 AND 95051 APPEAR TO BE FILED ON THE SAME FORMERLY DECREED WATER RIGHT. SEE CLAIM FILE FOR ADDITIONAL INFORMATION (DNRC MEMORANDUM APRIL 2007).

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95051-00 Page 5 of 5

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

### **IMPORTANT NOTICE**

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

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

Water Right Number:	<b>41A 95052-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
Priority Date:	MAY 1, 1884			
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:	3,447.00			
Source Name:	HORSE PRAIRIE CREEK			
Source Type:	SURFACE WATER			
*Point of Diversion and M	Aeans of Diversion:			
<u>ID</u> <u>Govt I</u>				
1	SENENW 31 9S 11W BEAVERHEAD			
	: APRIL 1 TO OCTOBER 31			
<b>Diversion Means:</b>				
2 Decis 1 of Direction	NWSENW 31 9S 11W BEAVERHEAD			
Diversion Means:	: APRIL 1 TO OCTOBER 31 HEADGATE			
Diversion means:				

MAY 9, 2013 41A 95052-00 Page 2 of 5

\*Point of Diversion and Means of Diversion:

Point of Diversion a			a	æ	ъ		
$\frac{\text{ID}}{3}$ $\frac{\text{G}}{3}$		<u>Qtr Sec</u> ESESE	<u>Sec</u> 31			<u>County</u> BEAVERHEAD	
	sion: APRIL 1 TC		-	93	1 1 V V	BEAVERHEAD	
	ns: HEADGAT		ERJI				
			20	00	4 4 1 4 1		
4			32	95	1100	BEAVERHEAD	
	sion: APRIL 1 TO		ER 31				
	ns: HEADGAT						
5	=	NWSW	-	95	11VV	BEAVERHEAD	
	sion: APRIL 1 TO		ER 31				
<b>Diversion Mean</b>							
6	SE	ESESW	32	9S	11W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 TO	O OCTOB	ER 31				
<b>Diversion Mean</b>	ns: HEADGAT	E					
7	SW	SWSW	33	9S	11W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 TO	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	ns: HEADGAT	E					
8	SE	SWSW	25	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 TO	ОСТОВ	ER 31				
<b>Diversion Mean</b>	ns: HEADGAT	E					
9	NE	ENESW	27	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 TO	ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGAT	E					
Ditch Name:	COMPANY	DITCH					
10	Ν	ESENE	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 TO	ОСТОВ	ER 31				
<b>Diversion Mea</b>	ns: HEADGAT	E					
11	NW	/SENW	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 TO	ОСТОВ	ER 31				
	ns: HEADGAT						
12		VNESE	36	9S	12W	BEAVERHEAD	
	sion: APRIL 1 TO		ER 31				
	ns: HEADGAT						
13		SWSW	26	95	1.3W	BEAVERHEAD	
	sion: APRIL 1 TO		-	00			
Diversion Mean			LICOI				
Ditch Name:	HORSE PR		REEK D	UNLA	P SPL	IT DITCH	
14			9			BEAVERHEAD	
	sion: APRIL 1 TO		•	100	1 1 4 4	BEAVERIEAD	
Diversion Mean							
15		∟ NWSW	10	108	1 1 \ \ /	BEAVERHEAD	
	sion: APRIL 1 TC		-	103	1 1 7 7		
Diversion Mea			LIX 31				
Diversion Mean							
						AIRIE CREEK IS CONVEYED TO AN AIRIE CREEK WHICH IS USED AS A	
	• • • • • • • • • = =					DARY POINTS OF DIVERSION IN THE NE C	DF
	SECTION (	05 T10S F	R11W, I	BEAVE	RHEA	AD COUNTY.	

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).

THE COMPANY DITCH CONVEYING WATER FROM A POINT OF DIVERSION IN NENESW OF SECTION 27 T9S R12W FLOWS INTO THE PAIMENT DITCH IN THE NWNW OF SECTION 01 T10S R12W.

THE POINT OF DIVERSION IN SECTION 27 T9S R12W (COMPANY DITCH) FALLS ON THE LINE IN TWO OUT OF THE THREE QUARTER SECTIONS. FOR DATABASE PURPOSES AND CONSISTENCY, THE LEGAL DESCRIPTION WILL BE THE NENESW QUARTER OF SECTION 27 T9S R12W.

PIERCE DITCH AND HANS PETERSON DITCH SHARE THE SAME POINT OF DIVERSION.

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>	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
4	595.00		31	9S	11W	BEAVERHEAD
5	83.00	S2N2	32	9S	11W	BEAVERHEAD
6	255.00	S2	32	9S	11W	BEAVERHEAD
7	130.00	N2	33	9S	11W	BEAVERHEAD
8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD
12	544.00		5	10S	11W	BEAVERHEAD
13	278.00	N2	6	10S	11W	BEAVERHEAD
14	17.00	NESE	6	10S	11W	BEAVERHEAD
15	3.00	N2NWSE	6	10S	11W	BEAVERHEAD
16	189.00	N2	9	10S	11W	BEAVERHEAD
17	45.00	E2SE	9	10S	11W	BEAVERHEAD
18	3.00	E2NWSE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2N2	10	10S	11W	BEAVERHEAD
20	71.00	W2SW	10	10S	11W	BEAVERHEAD
21	81.00	NE	1	10S	12W	BEAVERHEAD
Total:	3,447.00					

### 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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS BACK INTO HORSE PRAIRIE CREEK.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95052-00 Page 5 of 5

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95053-00 STATEMENT OF CLAIM			
	Version: 3 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
Priority Date:	MAY 15, 1884			
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:	3,447.00			
Source Name:	HORSE PRAIRIE CREEK			
Source Type:	SURFACE WATER			
*Point of Diversion and N	Means of Diversion:			
<u>ID</u> <u>Govt I</u>				
1	SENENW 31 9S 11W BEAVERHEAD			
Diversion Means:	: APRIL 1 TO OCTOBER 31 HEADGATE			
2	NWSENW 31 9S 11W BEAVERHEAD			
	: APRIL 1 TO OCTOBER 31			
Diversion Means:	HEADGATE			

MAY 9, 2013 41A 95053-00 Page 2 of 5

\*Point of Diversion and Means of Diversion:

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				<u>County</u> BEAVERHEAD
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	ER 31			
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00202		95	1100	BEAVERHEAD
	ER 31			
		9S	11W	BEAVERHEAD
	ER 31			
-				
SESESW	32	9S	11W	BEAVERHEAD
APRIL 1 TO OCTOB	ER 31			
HEADGATE				
SWSWSW	33	9S	11W	BEAVERHEAD
: APRIL 1 TO OCTOB	ER 31			
HEADGATE				
SESWSW	25	9S	12W	BEAVERHEAD
APRIL 1 TO OCTOB	ER 31			
HEADGATE				
NENESW	27	9S	12W	BEAVERHEAD
APRIL 1 TO OCTOB	ER 31			
HEADGATE				
COMPANY DITCH				
NESENE	36	9S	12W	BEAVERHEAD
APRIL 1 TO OCTOB	ER 31			
HEADGATE				
NWSENW	36	9S	12W	BEAVERHEAD
APRIL 1 TO OCTOB	ER 31			
HEADGATE				
NWNESE	36	9S	12W	BEAVERHEAD
APRIL 1 TO OCTOR	ER 31			
	_			
	26	9S	13W	BEAVERHEAD
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HORSE PRAIRIE CI	REEK D	UNLA	P SPL	IT DITCH
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	et Qtr Sec NESESE APRIL 1 TO OCTOB HEADGATE SWSESE APRIL 1 TO OCTOB HEADGATE NENWSW APRIL 1 TO OCTOB HEADGATE SESESW APRIL 1 TO OCTOB HEADGATE SESWSW APRIL 1 TO OCTOB HEADGATE NENESW APRIL 1 TO OCTOB HEADGATE COMPANY DITCH NESENE APRIL 1 TO OCTOB HEADGATE NWSENW APRIL 1 TO OCTOB HEADGATE NWSENW APRIL 1 TO OCTOB HEADGATE NWSENW APRIL 1 TO OCTOB HEADGATE NWNESE APRIL 1 TO OCTOB HEADGATE NWNESE APRIL 1 TO OCTOB HEADGATE SWSWSW APRIL 1 TO OCTOB HEADGATE NWNESE APRIL 1 TO OCTOB HEADGATE NWNWSW APRIL 1 TO OCTOB HEADGATE NWNWSW APRIL 1 TO OCTOB HEADGATE NWNWSW	$dt$ $Qtr Sec}NESESESec}31a APRIL 1 TO OCTOBER 31HEADGATESWSESE32a APRIL 1 TO OCTOBER 31HEADGATENENWSW32a APRIL 1 TO OCTOBER 31HEADGATESESESW32a APRIL 1 TO OCTOBER 31HEADGATESESESW33a APRIL 1 TO OCTOBER 31HEADGATESESWSW33a APRIL 1 TO OCTOBER 31HEADGATESESWSW25a APRIL 1 TO OCTOBER 31HEADGATESESWSW25a APRIL 1 TO OCTOBER 31HEADGATESESWSW27a APRIL 1 TO OCTOBER 31HEADGATENENESW27a APRIL 1 TO OCTOBER 31HEADGATESESENE36a APRIL 1 TO OCTOBER 31HEADGATENESENE36a APRIL 1 TO OCTOBER 31HEADGATESEAPRIL 1 TO OCTOBER 31HEADGATESEAPRI$	$dt$ $Qtr Sec}$ $Sec}Twp9SAPRIL 1 TO OCTOBER 31HEADGATESWSESE329SAPRIL 1 TO OCTOBER 31HEADGATESESESW329SAPRIL 1 TO OCTOBER 31HEADGATESESESW329SAPRIL 1 TO OCTOBER 31HEADGATESESESW329SAPRIL 1 TO OCTOBER 31HEADGATESESESW339SAPRIL 1 TO OCTOBER 31HEADGATESESWSW259SAPRIL 1 TO OCTOBER 31HEADGATESESWSW259SAPRIL 1 TO OCTOBER 31HEADGATESESWSW279SAPRIL 1 TO OCTOBER 31HEADGATESESENSW279SAPRIL 1 TO OCTOBER 31HEADGATESESSAPRIL 1 TO OCTOBER 31HEADGATESESSAPRIL 1 TO OCTOBER 31HEADGATESSSSAPRIL 1 TO OCTOBER 31HEADGATESSSSAPRIL 1 TO OCTOBER 31HEADGATESSSSAPRIL 1 TO OCTOBER 31HEADGATESWSWSW269SAPRIL 1 TO OCTOBER 31HEADGATESWSWSW269SAPRIL 1 TO OCTOBER 31HEADGATESWSWSW269SAPRIL 1 TO OCTOBER 31HEADGATESWSWSW1010SAPRIL 1 TO OCTOBER 31HEADGATESWSWSW1010SAPRIL 1 TO OCTOBER 31HEADGATESWSWNW1010SAPRIL 1 TO OCTOBER 31HEADGATESWSWNW1010SAPRIL 1 TO OCTOBER 31HEADGATESWSWNW10<$	odtQtr SecSecTwpRgeNESESE319S11WAPRIL 1 TO OCTOBER 31HEADGATE9S11WAPRIL 1 TO OCTOBER 31WSESE329S11WHEADGATENENWSW329S11WAPRIL 1 TO OCTOBER 31SESESW329S11WHEADGATESESESW329S11WAPRIL 1 TO OCTOBER 31HEADGATESESESW339S11WAPRIL 1 TO OCTOBER 31HEADGATESESWSW259S12WAPRIL 1 TO OCTOBER 31HEADGATESESWSW279S12WAPRIL 1 TO OCTOBER 31HEADGATESESWSW279S12WAPRIL 1 TO OCTOBER 31HEADGATESESWSW279S12WAPRIL 1 TO OCTOBER 31HEADGATESESWSW269S12WAPRIL 1 TO OCTOBER 31HEADGATESESWSW269S12WAPRIL 1 TO OCTOBER 31HEADGATESWSWSW269S12WAPRIL 1 TO OCTOBER 31HEADGATESWSWSW269S13WAPRIL 1 TO OCTOBER 31HEADGATESWSWSW269S13WAPRIL 1 TO OCTOBER 31HEADGATESWSWSW269S13WAPRIL 1 TO OCTOBER 31HEADGATESWSWNW1010S11WAPRIL 1 TO OCTOBER 31HEADGATESWSWNW1010S11WAPRIL 1 TO OCTOBER 31HEADGATESWSWNW1010S11WAPRIL 1 TO OCTOBER 31

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SEC 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).

THE COMPANY DITCH CONVEYING WATER FROM A POINT OF DIVERSION IN NENESW OF SEC 27 T9S R12W FLOWS INTO THE PAIMENT DITCH IN THE NWNW OF SEC 1 T10S R12W.

PIERCE DITCH AND HANS PETERSON DITCH SHARE THE SAME POINT OF DIVERSION.

THE POINT OF DIVERSION IN SEC 27 T9S R12W (COMPANY DITCH) FALLS ON THE LINE IN TWO OUT OF THE THREE QUARTER SECTIONS. FOR DATABASE PURPOSES AND CONSISTENCY, THE LEGAL DESCRIPTION WILL BE THE NENESW QUARTER OF SEC 27 T9S R12W.

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>	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
4	595.00		31	9S	11W	BEAVERHEAD
5	83.00	S2N2	32	9S	11W	BEAVERHEAD
6	255.00	S2	32	9S	11W	BEAVERHEAD
7	130.00	N2	33	9S	11W	BEAVERHEAD
8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD
12	544.00		5	10S	11W	BEAVERHEAD
13	278.00	N2	6	10S	11W	BEAVERHEAD
14	17.00	NESE	6	10S	11W	BEAVERHEAD
15	3.00	N2NWSE	6	10S	11W	BEAVERHEAD
16	189.00	N2	9	10S	11W	BEAVERHEAD
17	45.00	E2SE	9	10S	11W	BEAVERHEAD
18	3.00	E2NWSE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2N2	10	10S	11W	BEAVERHEAD
20	71.00	W2SW	10	10S	11W	BEAVERHEAD
21	81.00	NE	1	10S	12W	BEAVERHEAD
Total:	3,447.00					

### 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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/01/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 02/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 02/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS BACK INTO HORSE PRAIRIE CREEK.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95053-00 Page 5 of 5

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95054-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
Priority Date:	MAY 15, 1884			
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:	3,447.00			
Source Name:	HORSE PRAIRIE CREEK			
Source Type:	SURFACE WATER			
*Point of Diversion and M	Means of Diversion:			
<u>ID</u> <u>Govt I</u>				
1	SENENW 31 9S 11W BEAVERHEAD			
	: APRIL 1 TO OCTOBER 31			
Diversion Means:				
2	NWSENW 31 9S 11W BEAVERHEAD			
Diversion Means:	: APRIL 1 TO OCTOBER 31 HEADGATE			
Diversion means:	HEADGATE			

MAY 9, 2013 41A 95054-00 Page 2 of 5

\*Point of Diversion and Means of Diversion:

Point of Diversion a			a	æ	n	<b>a</b> (	
$\frac{\text{ID}}{3}$ $\frac{\text{Ge}}{3}$	<u>ovt Lot</u>	<u>Qtr Sec</u> NESESE	<u>Sec</u> 31			<u>County</u> BEAVERHEAD	
	ہ sion: APRIL 1 T		• •	93	1100	DEAVERNEAD	
	sion: APRIL I I is: HEADGA <sup>-</sup>		ER 31				
			22	00	4 4 1 4 /		
4	-			95	1100	BEAVERHEAD	
	sion: APRIL 1 T		ER 31				
Diversion Mean							
5				95	11VV	BEAVERHEAD	
	sion: APRIL 1 T		ER 31				
Diversion Mean							
6				9S	11W	BEAVERHEAD	
	sion: APRIL 1 T		ER 31				
Diversion Mean	s: HEADGA	ΓE					
7	SV	VSWSW	33	9S	11W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
8	SI	ESWSW	25	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
9	N	ENESW	27	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
Ditch Name:	COMPAN	Y DITCH					
10	1	NESENE	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
11	N	NSENW	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mea</b>	s: HEADGA	ГЕ					
12	Ν	WNESE	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mea</b>	s: HEADGA	ГЕ					
13		VSWSW	26	9S	13W	BEAVERHEAD	
	sion: APRIL 1 T	О ОСТОВ	ER 31				
Diversion Mean							
Ditch Name:	HORSE P	RAIRIE CI	REEK D	UNLA	P SPL	IT DITCH	
14	1	VESENE	9	10S	11W	BEAVERHEAD	
	sion: APRIL 1 T						
Diversion Mean			21101				
15		VNWSW	10	105	11\//	BEAVERHEAD	
	sion: APRIL 1 T			100			
Diversion Mean							
						IRIE CREEK IS CON AIRIE CREEK WHICH	
							ERSION IN THE NE OF
						D COUNTY.	-

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).

THE COMPANY DITCH CONVEYING WATER FROM A POINT OF DIVERSION IN NENESW OF SECTION 27 T9S R12W FLOWS INTO THE PAIMENT DITCH IN THE NWNW OF SECTION 01 T10S R12W.

PIERCE DITCH AND HANS PETERSON DITCH SHARE THE SAME POINT OF DIVERSION.

THE POINT OF DIVERSION IN SECTION 27 T9S R12W (COMPANY DITCH) FALLS ON THE LINE IN TWO OUT OF THE THREE QUARTER SECTIONS. FOR DATABASE PURPOSES AND CONSISTENCY, THE LEGAL DESCRIPTION WILL BE THE NENESW QUARTER OF SECTION 27 T9S R12W.

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>	Twp	<u>Rge</u> <u>County</u>	
1	21.00	SWNW	30	9S	11W BEAVERHEAD	)
2	1.00	SWSWSE	30	9S	11W BEAVERHEAD	)
3	131.00	SW	30	9S	11W BEAVERHEAD	)
4	595.00		31	9S	11W BEAVERHEAD	)
5	83.00	S2N2	32	9S	11W BEAVERHEAD	)
6	255.00	S2	32	9S	11W BEAVERHEAD	)
7	130.00	N2	33	9S	11W BEAVERHEAD	)
8	166.00	S2	33	9S	11W BEAVERHEAD	)
9	163.00	E2	25	9S	12W BEAVERHEAD	)
10	75.00	S2SE	36	9S	12W BEAVERHEAD	)
11	571.00		4	10S	11W BEAVERHEAD	)
12	544.00		5	10S	11W BEAVERHEAD	)
13	278.00	N2	6	10S	11W BEAVERHEAD	)
14	17.00	NESE	6	10S	11W BEAVERHEAD	)
15	3.00	N2NWSE	6	10S	11W BEAVERHEAD	)
16	189.00	N2	9	10S	11W BEAVERHEAD	)
17	45.00	E2SE	9	10S	11W BEAVERHEAD	)
18	3.00	E2NWSE	9	10S	11W BEAVERHEAD	)
19	25.00	S2S2N2	10	10S	11W BEAVERHEAD	)
20	71.00	W2SW	10	10S	11W BEAVERHEAD	)
21	81.00	NE	1	10S	12W BEAVERHEAD	)
Total:	3,447.00					

### 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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS BACK INTO HORSE PRAIRIE CREEK.

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# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95055-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
Priority Date:	JULY 15, 1884			
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:	3,447.00			
Source Name:	HORSE PRAIRIE CREEK			
Source Type:	SURFACE WATER			
*Point of Diversion and M	Aeans of Diversion:			
<u>ID</u> <u>Govt I</u>				
1	SENENW 31 9S 11W BEAVERHEAD			
Period of Diversion Diversion Means:	: APRIL 1 TO OCTOBER 31 HEADGATE			
2	NWSENW 31 9S 11W BEAVERHEAD			
	: APRIL 1 TO OCTOBER 31			
Diversion Means:	HEADGATE			

MAY 9, 2013 41A 95055-00 Page 2 of 5

\*Point of Diversion and Means of Diversion:

Point of Diversion a			a	æ	n	<b>a</b> (	
$\frac{\text{ID}}{3}$ $\frac{\text{Ge}}{3}$	<u>ovt Lot</u>	<u>Qtr Sec</u> NESESE	<u>Sec</u> 31			<u>County</u> BEAVERHEAD	
	ہ sion: APRIL 1 T		• •	93	1100	DEAVERNEAD	
	sion: APRIL I I is: HEADGA <sup>-</sup>		ER 31				
			22	00	4 4 1 4 /		
4	-			95	1100	BEAVERHEAD	
	sion: APRIL 1 T		ER 31				
Diversion Mean							
5				95	11VV	BEAVERHEAD	
	sion: APRIL 1 T		ER 31				
Diversion Mean							
6				9S	11W	BEAVERHEAD	
	sion: APRIL 1 T		ER 31				
Diversion Mean	s: HEADGA	ΓE					
7	SV	VSWSW	33	9S	11W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
8	SI	ESWSW	25	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
9	N	ENESW	27	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
Ditch Name:	COMPAN	Y DITCH					
10	1	NESENE	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mean</b>	s: HEADGA	ГЕ					
11	N	NSENW	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mea</b>	s: HEADGA	ГЕ					
12	Ν	WNESE	36	9S	12W	BEAVERHEAD	
Period of Diver	sion: APRIL 1 T	О ОСТОВ	ER 31				
<b>Diversion Mea</b>	s: HEADGA	ГЕ					
13		VSWSW	26	9S	13W	BEAVERHEAD	
	sion: APRIL 1 T	О ОСТОВ	ER 31				
Diversion Mean							
Ditch Name:	HORSE P	RAIRIE CI	REEK D	UNLA	P SPL	IT DITCH	
14	1	VESENE	9	10S	11W	BEAVERHEAD	
	sion: APRIL 1 T						
Diversion Mean			21101				
15		VNWSW	10	105	11\//	BEAVERHEAD	
	sion: APRIL 1 T			100			
Diversion Mean							
						IRIE CREEK IS CON AIRIE CREEK WHICH	
							ERSION IN THE NE OF
						D COUNTY.	-

WATER DIVERTED FROM HORSE PRAIRIE CREEK AT A POINT OF DIVERSION IN THE SWSWSW OF SECTION 26 T9S R13W IS CONVEYED THROUGH THE HORSE PRAIRIE CREEK-DUNLAP SPLIT DITCH TO DUNLAP CREEK WHICH IS USED AS A NATURAL CARRIER TO TWO SECONDARY POINTS OF DIVERSION 1) PIERCE DITCH (SWNESW SEC 26 T9S R13W, BEAVERHEAD COUNTY), 2) JAGGER DITCH (NWSWNE SEC 22 T9S R12W, BEAVERHEAD COUNTY).

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Period of Use: APRIL 1 TO OCTOBER 31

#### **Place of Use:**

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	21.00	SWNW	30	9S	11W	BEAVERHEAD
2	1.00	SWSWSE	30	9S	11W	BEAVERHEAD
3	131.00	SW	30	9S	11W	BEAVERHEAD
4	595.00		31	9S	11W	BEAVERHEAD
5	83.00	S2N2	32	9S	11W	BEAVERHEAD
6	255.00	S2	32	9S	11W	BEAVERHEAD
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8	166.00	S2	33	9S	11W	BEAVERHEAD
9	163.00	E2	25	9S	12W	BEAVERHEAD
10	75.00	S2SE	36	9S	12W	BEAVERHEAD
11	571.00		4	10S	11W	BEAVERHEAD
12	544.00		5	10S	11W	BEAVERHEAD
13	278.00	N2	6	10S	11W	BEAVERHEAD
14	17.00	NESE	6	10S	11W	BEAVERHEAD
15	3.00	N2NWSE	6	10S	11W	BEAVERHEAD
16	189.00	N2	9	10S	11W	BEAVERHEAD
17	45.00	E2SE	9	10S	11W	BEAVERHEAD
18	3.00	E2NWSE	9	10S	11W	BEAVERHEAD
19	25.00	S2S2N2	10	10S	11W	BEAVERHEAD
20	71.00	W2SW	10	10S	11W	BEAVERHEAD
21	81.00	NE	1	10S	12W	BEAVERHEAD
Total:	3,447.00					

### Remarks:

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95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

DUNLAP CREEK APPEARS TO BE A CHANNEL OF HORSE PRAIRIE CREEK, WHICH IS HIGHLY BRAIDED. THE EXHIBITS INCLUDED WITH CASE 1292 AND THE MORE RECENT TOPOGRAPHIC MAP BOTH NAME DUNLAP CREEK. IN BOTH INSTANCES, DUNLAP CREEK BRANCHES OFF OF HORSE PRAIRIE CREEK, IS FED BY UNNAMED TRIBUTARIES AND FLOWS BACK INTO HORSE PRAIRIE CREEK.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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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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# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95056-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE		
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624		
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624		
Priority Date:	JUNE 6, 1925		
Type of Historical Right	t: USE		
Purpose(use):	STOCK		
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.		
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 HORSE PRAIRIE CREEK		
Source Type:	SURFACE WATER		
	ALSO KNOWN AS PROSPECT HOLE		
Point of Diversion and	Means of Diversion:		
<u>ID</u> <u>Govt</u>	Lot <u>Qtr Sec Sec Twp Rge</u> County SWNWSE 4 11S 11W BEAVERHEAD		
·	a: SEPTEMBER 1 TO FEBRUARY 1		
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE		

Period of Use: SEPTEMBER 1 TO FEBRUARY 1

### Place of Use:

ID	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge County
1		SWNWSE	4	11S	11W BEAVERHEAD

### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

### **IMPORTANT NOTICE**

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

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

Water Right Number:	<b>41A 95057-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
Priority Date:	JUNE 6, 1925			
Type of Historical Righ	t: USE			
Purpose(use):	STOCK			
Flow Rate:	20.00 GPM			
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 HORSE PRAIRIE CREEK			
Source Type:	GROUNDWATER			
*Point of Diversion and Means of Diversion:				
<u>ID</u> <u>Govt</u>	Lot <u>Qtr Sec Sec Twp Rge County</u> SENESE 4 11S 11W BEAVERHEAD			
Period of Diversion: SEPTEMBER 1 TO FEBRUARY 1 Diversion Means: PIPELINE				
Period of Use:	SEPTEMBER 1 TO FEBRUARY 1			

### Place of Use:

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1		NENWSW	25	10S	11W	BEAVERHEAD
2		SWNWSE	26	10S	11W	BEAVERHEAD
3		NWSWSE	34	10S	11W	BEAVERHEAD
4		NWSWNW	35	10S	11W	BEAVERHEAD
5		SENESE	4	11S	11W	BEAVERHEAD

### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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. THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON USDI BLM LAND.

PLACES OF USE ID 3 AND 4 APPEAR TO BE ON USDI BLM LAND.

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

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

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95058-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
Priority Date:	APRIL 27, 1917				
Type of Historical Righ	t: 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 RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.				
Source Name:	CEDAR CREEK				
Source Type:	SURFACE WATER				
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.				
Point of Diversion and	Means of Diversion:				
<u>ID</u> <u>Govt</u>	Lot <u>Qtr Sec Sec Twp Rge</u> County NENENW 27 9S 11W BEAVERHEAD				
*Period of Diversion	*Period of Diversion: JANUARY 1 TO DECEMBER 31				
<b>Diversion Means:</b>	DAM				

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Reservoir: ON	ISTREAM						
Govt	Lot	<u>Qtr Sec</u> NENENW	<u>Sec</u> 27	<u>Twp</u> 9S	<u>Rge</u> 11W	<u>County</u> BEAVERHEAD	
<b>Diversion to Reservoir:</b>		DIVERS	ION # 1				
Dam Height:		8.00	FEET				
Depth:		8.00	FEET				
Surface Area:		0.25	ACRES				
Capacity:		0.80	ACRE-F	EET			
SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.							
Period of Use:	JANUAF	RY 1 TO DE	CEMBE	R 31			
Place of Use:							
ID <u>Acres Govt</u>	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>	
1		NENENW	27	9S	11W	BEAVERHEAD	
2		NWSESW	27	9S	11W	BEAVERHEAD	
3		NWSENW	28	9S	11W	BEAVERHEAD	

### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/01/2007: SOURCE, POINT OF DIVERSION, MEANS OF DIVERSION, 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.

THE NOTICE OF APPROPRIATION FILED WITH THIS RIGHT WAS ALSO PROVIDED AS DOCUMENTATION FOR FILED WATER RIGHT 41A 95022-00.

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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A** ABSTRACT OF WATER RIGHT CLAIM

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95059-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: WITHDRAWN				
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
Priority Date:					
Enforceable Price	ority Date:				
Type of Historical Right	t:				
Purpose (use):	STOCK				
Flow Rate:					
Volume:					
Source Name:	SPRING, UNNAMED TRIBUTARY OF CEDAR 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 07/02/2007. 

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

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

### **IMPORTANT NOTICE**

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

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

Water Right Number:	<b>41A 95060-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE					
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
<b>Priority Date:</b>	JANUARY 10, 1928					
Type of Historical Righ	t: FILED					
Purpose(use):	STOCK					
Flow Rate:	20.00 GPM					
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 CEDAR CREEK					
Source Type:	GROUNDWATER					
	ALSO KNOWN AS PEDERSON SPRING					
Point of Diversion and Means of Diversion:						
<u>ID</u> 1 Period of Diversio	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWNWNE 27 9S 11W BEAVERHEAD n: JANUARY 1 TO DECEMBER 31					
renou of Diversion. SANGART FTO DECEMBER 31						

**Diversion Means:** SPRING BOX

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*Reservoir: C	OFFSTREAM	l					
Gov	vt Lot	<u>Qtr Sec</u> NENENW	<u>Sec</u> 27	<u>Twp</u> 9S	<u><b>Rge</b></u> 11W	<u>County</u> BEAVERHEAD	
Diversion to	Reservoir:	DIVERSI	ON # 1				
Dam Height	t <b>:</b>	8.00	FEET				
Depth:		8.00	FEET				
Surface Are	ea:	0.25	ACRES				
Capacity:		0.80	ACRE-F	EET			
SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.							
Period of Use:	JANUAR	RY 1 TO DE	CEMBE	R 31			
Place of Use:							
ID <u>Acres</u> Gov	vt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	County	
1		NWSESW	27	9S	11W	BEAVERHEAD	
2		NWSENW	28	9S	11W	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.

95021-00 95060-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/1/2007: MEANS OF DIVERSION, PLACE OF USE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 08/27/2007.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95060-00 Page 3 of 3

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95061-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624					
Priority Date:	OCTOBER 29, 1914					
Type of Historical Right	: FILED					
Purpose(use):	STOCK					
Flow Rate:	20.00 GPM					
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 HORSE PRAIRIE CREEK					
Source Type:	GROUNDWATER					
	ALSO KNOWN AS MAYFIELD SPRING					
Point of Diversion and Means of Diversion:						
<u>ID</u> <u>Govt</u>						
1	NWNWSW 22 10S 11W BEAVERHEAD					
Period of Diversion: JANUARY 1 TO DECEMBER 31						
Diversion Means:	SPRING BOX					

Period of Use: JANUARY 1 TO DECEMBER 31

Place	of	Use:
-------	----	------

ID	<u>Acres Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1		SWNWNE	22	10S	11W	BEAVERHEAD
2		NWSENE	22	10S	11W	BEAVERHEAD
3		SWSWNW	22	10S	11W	BEAVERHEAD
4		NWNWSW	22	10S	11W	BEAVERHEAD
5		NESESW	22	10S	11W	BEAVERHEAD
6		NESESW	23	10S	11W	BEAVERHEAD
7		NESWSW	23	10S	11W	BEAVERHEAD

### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/1/2007: MEANS OF DIVERSION, PLACE OF USE, PERIOD OF USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95062-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
<b>Priority Date:</b>	OCTOBER 29, 1916			
Type of Historical Right	: USE			
Purpose(use):	STOCK			
Flow Rate:	20.00 GPM			
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 HORSE PRAIRIE CREEK			
Source Type:	GROUNDWATER			
Point of Diversion and Means of Diversion:				
IDGovt 1	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWSWNW 22 10S 11W BEAVERHEAD			
Period of Diversion	a: JANUARY 1 TO DECEMBER 31			
<b>Diversion Means:</b>	SPRING BOX			
Period of Use	JANUARY 1 TO DECEMBER 31			

Period of Use: JANUARY 1 TO DECEMBER 31

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<b>County</b>
1		SWNWNE	22	10S	11W	BEAVERHEAD
2		NWSENE	22	10S	11W	BEAVERHEAD
3		SWSWNW	22	10S	11W	BEAVERHEAD

### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/1/2007: SOURCE, MEANS OF DIVERSION, PLACE OF USE, PERIOD OF USE, PRIORITY DATE, TYPE OF HISTORICAL RIGHT.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95063-00 STATEMENT OF CLAIM		
	Version: 1 ORIGINAL RIGHT		
	Status: ACTIVE		
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624		
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624		
<b>Priority Date:</b>	MAY 18, 1925		
Type of Historical Righ	t: USE		
Purpose(use):	STOCK		
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.		
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 MEDICINE LODGE CREEK		
Source Type:	SURFACE WATER		
*Point of Diversion and Means of Diversion:			
$\frac{ID}{1}$ Govt	Lot <u>Qtr Sec</u> Sec <u>Twp</u> <u>Rge</u> <u>County</u> NWSWSE 9 11S 11W BEAVERHEAD		
	n: SEPTEMBER 1 TO FEBRUARY 1		
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE		
Diversion wieans:			

Period of Use: SEPTEMBER 1 TO FEBRUARY 1

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

### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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

Water Right Number:	<b>41A 95064-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE			
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
Priority Date:	NOVEMBER 29, 1927			
Type of Historical Righ	it: USE			
Purpose(use):	STOCK			
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.			
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 HORSE PRAIRIE CREEK			
Source Type:	SURFACE WATER			
Point of Diversion and Means of Diversion:				
ID Govt	LotQtr SecSecTwpRgeCountySENWSW2710S11WBEAVERHEAD			
	n: MAY 15 TO DECEMBER 31			
<b>Diversion Means:</b>				
Period of Use:	MAY 15 TO DECEMBER 31			

ID	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<b><u>Rge</u></b> County
1		SENWSW	27	10S	11W BEAVERHEAD

### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 95065-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE		
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624		
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624		
Priority Date:	NOVEMBER 29, 1927		
Type of Historical Righ	t: USE		
Purpose(use):	STOCK		
Flow Rate:	20.00 GPM		
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 HORSE PRAIRIE CREEK		
Source Type:	GROUNDWATER		
*Point of Diversion and Means of Diversion:			
<u>ID</u> <u>Govt</u>	Lot <u>Qtr Sec Sec Twp Rge</u> County NENESE 28 10S 11W BEAVERHEAD		
1 NENESE 28 10S 11W BEAVERHEAD Period of Diversion: MAY 15 TO DECEMBER 31 Diversion Means: PIPELINE			
Period of Use:	MAY 15 TO DECEMBER 31		

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1		NWNWSW	27	10S	11W	BEAVERHEAD
2		NENESE	28	10S	11W	BEAVERHEAD

**Remarks:** 

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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.

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

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

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 95066-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
Priority Date:	NOVEMBER 12, 1927			
Type of Historical Righ	t: 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 RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 MEDICINE LODGE CREEK			
Source Type:	SURFACE WATER			
Point of Diversion and Means of Diversion:				
<u>ID</u> <u>Govt</u>				
1	NENENE 17 11S 11W BEAVERHEAD			
Period of Diversion				
<b>Diversion Means:</b>	DAM			

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Reservoir: ONS	STREAM		
<u>Govt I</u>	<u>Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NENENE 17 11S 11W BEAVERHEAD		
Diversion to Re	eservoir: DIVERSION # 1		
Dam Height:	11.00 FEET		
Depth:	8.00 FEET		
Surface Area:	0.01 ACRES		
Capacity:	0.08 ACRE-FEET		
THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC. SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.			
Period of Use:	SEPTEMBER 1 TO FEBRUARY 1		
Place of Use:			
ID <u>Acres Govt I</u>	Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u>		
1	NENENE 17 11S 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 PERIOD OF DIVERSION FROM THE SOURCE INTO STORAGE CANNOT BE IDENTIFIED. THE MAXIMUM STORAGE CAPACITY OF THIS RESERVOIR MAY BE QUESTIONABLE. ACCORDING TO DNRC ESTIMATES, THE MAXIMUM STORAGE CAPACITY IS .076 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

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

Water Right Number:	41A 95067-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
<b>Priority Date:</b>	NOVEMBER 12, 1927			
Type of Historical Right	t: USE			
Purpose(use):	STOCK			
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.			
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 MEDICINE LODGE CREEK			
Source Type:	SURFACE WATER			
Point of Diversion and Means of Diversion:				
$\frac{ID}{1}$ Govt				
·	SENWSW 9 11S 11W BEAVERHEAD 1: SEPTEMBER 1 TO FEBRUARY 1			
Diversion Means:	LIVESTOCK DIRECT FROM SOURCE			
21.0151011.1001101				

Period of Use: SEPTEMBER 1 TO FEBRUARY 1

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

### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. THE PLACE OF USE APPEARS TO BE ON BLM LAND.

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

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

### **IMPORTANT NOTICE**

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Water Right Number:	41A 95068-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT Status: ACTIVE				
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
Priority Date:	NOVEMBER 27, 1927				
Type of Historical Righ	t: 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 RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 MEDICINE LODGE CREEK				
Source Type:	SURFACE WATER				
Point of Diversion and Means of Diversion:					
<u>ID</u> <u>Govt</u>	<u>Lot</u> <u>Qtr Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NENENW 17 11S 11W BEAVERHEAD				
Period of Diversio					
Diversion Means:	DAM				

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Reservoir: ONS	STREAM
<u>Govt I</u>	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NENENW 17 11S 11W BEAVERHEAD
Diversion to R	eservoir: DIVERSION # 1
Dam Height:	11.00 FEET
Depth:	8.00 FEET
Surface Area:	0.12 ACRES
Capacity:	0.95 ACRE-FEET
	THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC. SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.
Period of Use:	SEPTEMBER 1 TO FEBRUARY 1
Place of Use:	
ID <u>Acres</u> Govt I	Lot <u>Otr Sec Sec Twp Rge</u> <u>County</u>
1	NENENW 17 11S 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 PERIOD OF DIVERSION FROM THE SOURCE INTO STORAGE CANNOT BE IDENTIFIED. THE PATENT DOCUMENTATION PROVIDED WITH THE STATEMENT OF CLAIM IS DATED NOVEMBER 12, 1927.

THE MAXIMUM STORAGE CAPACITY OF THIS RESERVOIR MAY BE QUESTIONABLE. ACCORDING TO DNRC ESTIMATES, THE MAXIMUM STORAGE CAPACITY IS 0.95 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95068-00 Page 3 of 3

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 95069-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE				
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
<b>Priority Date:</b>	MAY 20, 1901				
Type of Historical Righ	t: FILED				
Purpose(use):	STOCK				
Flow Rate:	20.00 GPM				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 HORSE PRAIRIE CREEK				
Source Type:	GROUNDWATER				
	ALSO KNOWN AS GARFIELD SPRING				
*Point of Diversion and Means of Diversion:					
ID Govt	LotQtr SecSecTwpRgeCountySESWNE411S11WBEAVERHEAD				
	n: SEPTEMBER 1 TO FEBRUARY 1				
<b>Diversion Means:</b>	SPRING BOX				
Period of Use:	SEPTEMBER 1 TO FEBRUARY 1				

ID	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1		SESWNE	4	11S	11W	BEAVERHEAD

### **Remarks:**

THE MEANS OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 12/13/1982.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

IMPLIED CLAIM NO. 41A 182315-00 WAS AUTHORIZED AND GENERATED BASED ON INFORMATION IN 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.

THE CLAIMED MEANS OF DIVERSION CANNOT BE IDENTIFIED 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

Water Right Number:	<b>41A 95070-00</b> STATEMENT OF CLAIM <b>Version:</b> 1 ORIGINAL RIGHT <b>Status:</b> ACTIVE
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
Priority Date:	APRIL 20, 1916
Type of Historical Righ	t: FILED
Purpose(use):	STOCK
Flow Rate:	20.00 GPM
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 HORSE PRAIRIE CREEK
Source Type:	GROUNDWATER
	ALSO KNOWN AS YALLANI SPRING
Point of Diversion and	Means of Diversion:
IDGovt1	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NENWSW 22 10S 11W BEAVERHEAD
	n: JANUARY 1 TO DECEMBER 31
<b>Diversion Means:</b>	SPRING BOX
Period of Use:	JANUARY 1 TO DECEMBER 31

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1		NENWSW	22	10S	11W	BEAVERHEAD
2		NESESW	22	10S	11W	BEAVERHEAD
3		NESESW	23	10S	11W	BEAVERHEAD
4		NESWSW	23	10S	11W	BEAVERHEAD

### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/1/2007: SOURCE, MEANS OF DIVERSION, PLACE OF USE, PERIOD OF USE, PRIORITY DATE, TYPE OF HISTORICAL RIGHT.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

### **IMPORTANT NOTICE**

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Water Right Number:	41A 95071-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140						
<b>Priority Date:</b>	AUGUST 8, 1916						
Type of Historical Right	: FILED						
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	: 5 - LOW						
Maximum Acres:	15.00						
Source Name:	UNNAMED TRIBUTARY OF DUTCH CREEK						
Source Type:	SURFACE WATER						
	ALSO KNOWN AS NO NAME CREEK						
Point of Diversion and Means of Diversion:							
<u>ID</u> <u>Govt I</u>							
1 D	SWNWNW 24 9S 15W BEAVERHEAD						
Diversion Means:	: APRIL 1 TO JULY 15 HEADGATE						
Period of Use:	APRIL 1 TO JULY 15						
	THIS RIGHT IS LIMITED TO HIGH OR FLOOD WATERS OF NO NAME CREEK.						

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	15.00	S2NENE	23	9S	15W	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.

95071-00 95076-00

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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/30/2012: PERIOD OF DIVERSION, PERIOD OF USE, PRIORITY DATE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE. .......

THE FOLLOWING 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). 979-83, DATED 09/20/1979, APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-7B-30, 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 95072-00 STATEMENT OF CLAIM				
	Version: 2 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140				
<b>Priority Date:</b>	MAY 15, 1972				
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 Areas	: 5 - LOW				
Maximum Acres:	247.00				
*Source Name:	SPRING, UNNAMED TRIBUTARY OF TRAIL CREEK				
Source Type:	SURFACE WATER				
Point of Diversion and M	Means of Diversion:				
$\frac{ID}{1} \qquad \qquad \frac{Govt I}{1}$	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWSWSW 3 10S 14W BEAVERHEAD : APRIL 1 TO NOVEMBER 1				
Diversion Means:	DRAIN DITCH				
Period of Use:	APRIL 1 TO NOVEMBER 1				
*Place of Use:					
ID <u>Acres Govt I</u>	Lot <u>Qtr Sec Sec Twp Rge</u> County				
1 18.00	S2NW 2 10S 14W BEAVERHEAD				
2 48.00	N2SW 2 10S 14W BEAVERHEAD				
3 4.00	N2SWSW 2 10S 14W BEAVERHEAD				

*Place	of	Use:
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ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
4	7.00	S2SENE	3	10S	14W BEAVERHEAD
5	150.00	S2	3	10S	14W BEAVERHEAD
6	19.00	NENW	10	10S	14W BEAVERHEAD
7	1.00	NESENW	10	10S	14W BEAVERHEAD
Total:	247.00				

#### 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.

95072-00	95073-00	95085-00	95086-00	95087-00	95088-00	95089-00
95090-00	95091-00	95092-00	95093-00	95098-00	95100-00	95106-00
95107-00	95108-00	95109-00	95110-00	95111-00		

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.

95072-00 95084-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 07/21/2006.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95072-00 Page 3 of 3

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 95073-00 STATEMENT OF CLAIM
	Version: 2 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
<b>Priority Date:</b>	NOVEMBER 1, 1971
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:	137.50
*Source Name:	SPRING, UNNAMED TRIBUTARY OF TRAIL CREEK
Source Type:	SURFACE WATER
Point of Diversion and I	Means of Diversion:
$\frac{\mathbf{ID}}{1} \qquad \qquad \mathbf{Govt} \mathbf{I}$	NWNENE 10 10S 14W BEAVERHEAD
Period of Diversion Diversion Means:	I: APRIL 1 TO NOVEMBER 1 DRAIN DITCH
Period of Use:	APRIL 1 TO NOVEMBER 1
*Place of Use: ID Acres Govt I	Lot Qtr Sec Sec Twp Rge County
1 28.00 2 86.50	N2SE 2 10S 14W BEAVERHEAD SW 2 10S 14W BEAVERHEAD
2 86.50 3 8.00	SVV 2 10S 14W BEAVERHEAD SESESE 3 10S 14W BEAVERHEAD
5 0.00	

MAY 9, 2013 41A 95073-00 Page 2 of 3

#### \*Place of Use:

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
4	3.00	NENENE	10	10S	14W	BEAVERHEAD
5	12.00	NWNW	11	10S	14W	BEAVERHEAD
Total:	137.50					

#### 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.

95072-00	95073-00	95085-00	95086-00	95087-00	95088-00	95089-00
95090-00	95091-00	95092-00	95093-00	95098-00	95100-00	95106-00
95107-00	95108-00	95109-00	95110-00	95111-00		

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.

95073-00 95078-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95073-00 Page 3 of 3

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 95074-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
*Priority Date:	OCTOBER 31, 1952
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:	325.50
*Source Name:	SPRING, UNNAMED TRIBUTARY OF TRAIL CREEK
Source Type:	SURFACE WATER
Point of Diversion and I	Means of Diversion:
IDGovt I1	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWSESE 35 9S 14W BEAVERHEAD
Period of Diversion	: APRIL 1 TO NOVEMBER 1
<b>Diversion Means:</b>	DRAIN DITCH
Period of Use:	APRIL 1 TO NOVEMBER 1
Place of Use:	
ID Acres Govt I	Lot <u>Qtr Sec Sec Twp Rge County</u>
1 31.50	SESESE 35 9S 14W BEAVERHEAD
2 232.00	S2 36 9S 14W BEAVERHEAD
3 56.00	NW 1 10S 14W BEAVERHEAD

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<u>County</u>
4	6.00	NENENE	2	10S	14W	BEAVERHEAD
Total:	325.50					

#### 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.

95074-00 95075-00

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.

95074-00 95077-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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### PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

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Water Right Number:	41A 95075-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
*Priority Date:	OCTOBER 31, 1952
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
*Flow Rate:	3.86 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:	102.00
*Source Name:	SPRING, UNNAMED TRIBUTARY OF TRAIL CREEK
Source Type:	SURFACE WATER
Point of Diversion and I	Means of Diversion:
<u>ID</u> <u>Govt I</u>	
1	SW 36 9S 14W BEAVERHEAD
Diversion Means:	I: APRIL 1 TO NOVEMBER 1 DRAIN DITCH
Period of Use:	APRIL 1 TO NOVEMBER 1

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<b><u>Qtr Sec</u></b>	Sec	Twp	Rge	<b>County</b>
1	102.00	S2	36	9S	14W	BEAVERHEAD
Total:	102.00					

#### 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.

95074-00 95075-00

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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 07/21/2006.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

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Water Right Number:	41A 95076-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	AUGUST 8, 1916
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:	20.00
Source Name:	UNNAMED TRIBUTARY OF DUTCH CREEK
Source Type:	SURFACE WATER
	ALSO KNOWN AS NO NAME CREEK
Point of Diversion and N	Means of Diversion:
<u>ID</u> <u>Govt I</u>	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SESWSW 13 9S 15W BEAVERHEAD
	: APRIL 1 TO JULY 15
	HEADGATE
Period of Use:	APRIL 1 TO JULY 15
	THIS RIGHT IS LIMITED TO HIGH OR FLOOD WATERS OF NO NAME CREEK.

MAY 9, 2013 41A 95076-00 Page 2 of 3

### \*Place of Use:

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1	5.00	NENE	23	9S	15W	BEAVERHEAD
2	15.00	E2NWNE	23	9S	15W	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.

95071-00 95076-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/30/2012: PERIOD OF DIVERSION, PERIOD OF USE, PRIORITY DATE.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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). 979-83 , DATED 09/20/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-7B-30 , 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95076-00 Page 3 of 3

### **IMPORTANT NOTICE**

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

Water Right Number:	41A 95077-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140					
*Priority Date:	OCTOBER 31, 1952					
Type of Historical Right	: FILED					
Purpose(use):	STOCK					
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.					
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 TRAIL CREEK					
Source Type:	SURFACE WATER					
*Point of Diversion and Means of Diversion:						
$\frac{\text{ID}}{1}$ Govt						
1	SWSESE 35 9S 14W BEAVERHEAD SEPTEMBER 1 TO MAY 30					
Diversion Means:	DRAIN DITCH					

Period of Use: SEPTEMBER 1 TO MAY 30

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1		SWSESE	35	9S	14W	BEAVERHEAD
2	4	SENWNW	1	10S	14W	BEAVERHEAD
3	4	W2NWNW	1	10S	14W	BEAVERHEAD
4		NESWNW	1	10S	14W	BEAVERHEAD
5	1	NENENE	2	10S	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.

95074-00 95077-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

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

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

## **IMPORTANT NOTICE**

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

Water Right Number:	41A 95078-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140			
Priority Date:	NOVEMBER 1, 1971			
Type of Historical Right	: FILED			
Purpose(use):	STOCK			
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.			
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 TRAIL CREEK			
Source Type:	SURFACE WATER			
*Point of Diversion and Means of Diversion:				
$\underline{ID}_{4}$ <u>Govt 1</u>				
Period of Diversion	NWNENE 10 10S 14W BEAVERHEAD SEPTEMBER 1 TO MAY 30			
Diversion Means: DRAIN DITCH				

Period of Use: SEPTEMBER 1 TO MAY 30

#### Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<b>County</b>
1		SWSESW	2	10S	14W	BEAVERHEAD
2		N2NENE	10	10S	14W	BEAVERHEAD
3		N2NWNW	11	10S	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.

95073-00 95078-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95079-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE				
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140				
*Priority Date:	DECEMBER 31, 1915				
Type of Historical Right	: USE				
Purpose(use): Flow Rate:	DOMESTIC 20.00 GPM				
Volume: Households:	1.50 AC-FT				
	1				
Maximum Acres:	0.25				
Source Name:	GROUNDWATER				
Source Type:	GROUNDWATER				
Point of Diversion and I	Means of Diversion:				
	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWNESE 4 10S 14W BEAVERHEAD a: JANUARY 1 TO DECEMBER 31 WELL				
Period of Use: JANUARY 1 TO DECEMBER 31					
Place of Use:					
ID <u>Acres</u> Govt 1	Lot <u>Qtr Sec Sec Twp Rge</u> County				
1 0.25	SENESE 4 10S 14W BEAVERHEAD				
<b>Total:</b> 0.25					

**Remarks:** 

MAY 9, 2013 41A 95079-00 Page 2 of 2

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/30/2012: POINT OF DIVERSION, PLACE OF USE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/15/2012: POINT OF DIVERSION, PLACE OF USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95080	-00 STAT	EMENT OF CLAIM	
	Version:	1 ORIGIN		
		Status:	WITHDRAWN	
Owners:	4800 FALL	ONTIER LLC S OF NEUSE NC 27609 81	E RD, STE 315	
Priority Date:				
Enforceable Priority Date:				
Type of Historical Right	•			
Purpose (use):	DOMESTIC	)		
Flow Rate:				
Volume:				
Source Name:	GROUNDV	VATER		
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 10/22/1982.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95081-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE			
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140			
*Priority Date:	DECEMBER 31, 1925			
Type of Historical Right	:USE			
Purpose(use):	DOMESTIC			
*Flow Rate:	20.00 GPM			
Volume:	1.50 AC-FT			
Households:	1			
Maximum Acres: 0.10				
Source Name:	GROUNDWATER			
Source Type:	GROUNDWATER			
Point of Diversion and I	Means of Diversion:			
ID     Govt Lot     Qtr Sec     Sec     Twp     Rge     County       1     SESENW     10     10S     14W     BEAVERHEAD       Period of Diversion:     JANUARY 1 TO DECEMBER 31       Diversion Means:     WELL				
Period of Use:	JANUARY 1 TO DECEMBER 31			
*Place of Use:				
ID Acres Govt 1	Lot <u>Qtr Sec Sec Twp Rge</u> County			
1 0.10	SESENW 10 10S 14W BEAVERHEAD			
<b>Total:</b> 0.10				

**Remarks:** 

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	<b>41A 95082-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140				
*Priority Date:	DECEMBER 31, 1940				
Type of Historical Right	:USE				
Purpose(use):	DOMESTIC				
Flow Rate:	20.00 GPM				
Volume:	1.50 AC-FT				
Households:	1				
Maximum Acres:	0.10				
Source Name:	GROUNDWATER				
Source Type:	GROUNDWATER				
Point of Diversion and	Means of Diversion:				
	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SESENW 10 10S 14W BEAVERHEAD n: JANUARY 1 TO DECEMBER 31 WELL				
Period of Use:	JANUARY 1 TO DECEMBER 31				
*Place of Use:					
<u>ID</u> <u>Acres Govt 1</u>	Lot Qtr Sec Sec Twp Rge County				
1 0.10	SESENW 10 10S 14W BEAVERHEAD				
<b>Total:</b> 0.10					

**Remarks:** 

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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Water Right Number:	41A 95083-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140				
*Priority Date:	OCTOBER 10, 1967				
	THE PRIORITY DATE OF THIS WATER RIGHT HAS BEEN CHANGED TO THE DATE OF FILING THE NOTICE OF COMPLETION OF GROUNDWATER APPROPRIATION (GW2). THE PRIORITY DATE MAY BE CONTESTED BY PROPER OBJECTION.				
Type of Historical Righ	t: FILED				
Purpose(use):	STOCK				
Flow Rate:	30.00 GPM				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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</u>	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SESENW 10 10S 14W BEAVERHEAD				
	n: JANUARY 1 TO DECEMBER 31				
Diversion Means: WELL					
Period of Use:	JANUARY 1 TO DECEMBER 31				
Place of Use:					
ID <u>Acres Govt</u>	<u>Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u>				
1	SESENW 10 10S 14W BEAVERHEAD				

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95084-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140				
Priority Date:	MAY 15, 1972				
Type of Historical Right	: FILED				
Purpose(use):	STOCK				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 TRAIL CREEK				
Source Type:	SURFACE WATER				
*Point of Diversion and M	Means of Diversion:				
<u>ID</u> <u>Govt I</u>					
•	NWSESW 3 10S 14W BEAVERHEAD E SEPTEMBER 15 TO MAY 1 DRAIN DITCH				
Period of Use:	SEPTEMBER 15 TO MAY 1				
Place of Use:					
ID <u>Acres Govt I</u>	Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u>				
1	SESW 3 10S 14W BEAVERHEAD				
2	NENENW 10 10S 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.

95072-00 95084-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

## **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	<b>41A 95085-00</b> STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT			
Owners:	Status: ACTIVE LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140			
Priority Date:	SEPTEMBER 1, 1886			
Type of Historical Right	: DECREED			
Purpose(use):	IRRIGATION			
Irrigation Type:	FLOOD			
Flow Rate:	2.05 CFS			
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.			
Climatic Area	Climatic Area: 5 - LOW			
Maximum Acres:	1,310.00			
Source Name:	TRAIL CREEK			
Source Type:	SURFACE WATER			
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.			
*Point of Diversion and N	Means of Diversion:			
$\frac{\mathbf{ID}}{1} \qquad \qquad \mathbf{Govt I}$	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENESW 2 10S 14W BEAVERHEAD			
<b>Period of Diversion</b>	: APRIL 1 TO NOVEMBER 1			
Diversion Means:	HEADGATE			
Ditch Name:	TRAIL CREEK DITCH NO. 7			
2	NWSWSW 2 10S 14W BEAVERHEAD			
Period of Diversion Diversion Means:	: APRIL 1 TO NOVEMBER 1 HEADGATE			
Diversion Means: Ditch Name:	TRAIL CREEK DITCH NO. 6			

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\*Point of Diversion and Means of Diversion:

<u>ID</u> 3	<u>Govt 1</u>	Lot	<u>Qtr Sec</u> NESESE	<u>Sec</u> 3	<u>Twp</u> 10S	<u>Rge</u> 14W/	<u>County</u> BEAVERHEAD
-	d of Diversion	: APRIL					BERNEINER
Diver	sion Means:	HEADO	GATE				
Ditch	Name:	TRAIL	TRAIL CREEK DITCH NO. 5				
4			NWSESE	3	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEM	1BER 1			
Diver	sion Means:	HEADO	GATE				
Ditch	Name:	TRAIL	CREEK DITC	H NO.	4		
5			SESESE	9	10S	14W	BEAVERHEAD
Perio	Period of Diversion: APRIL 1 TO NOVEMBER 1						
Diver	sion Means:	HEADO	GATE				
Ditch	Name:	TRAIL CREEK DITCH NO. 3					
6			NWNWSW	16	10S	14W	BEAVERHEAD
Perio	Period of Diversion: APRIL 1 TO NOVEMBER 1						
Diver	sion Means:	HEADO	GATE				
Ditch	Name:	TRAIL	CREEK DITC	H NO.	2		
7		4	NENWNW	20	10S	14W	BEAVERHEAD
Perio	Period of Diversion: APRIL 1 TO NOVEMBER 1						
Diver	sion Means:	HEADGATE					
Ditch	Name:	TRAIL CREEK DITCH NO. 1					
Period of	Use:	APRIL <sup>2</sup>	1 TO NOVEM	IBER 1			

### \*Place of Use:

ID	Acres Govt	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	35.00		SWNW	1	10S	14W	BEAVERHEAD
2	80.00		S2N2	2	10S	14W	BEAVERHEAD
3	68.00		N2SE	2	10S	14W	BEAVERHEAD
4	154.00		SW	2	10S	14W	BEAVERHEAD
5	5.00		S2SENE	3	10S	14W	BEAVERHEAD
6	208.00		S2	3	10S	14W	BEAVERHEAD
7	6.00		S2NENE	9	10S	14W	BEAVERHEAD
8	33.00		SENE	9	10S	14W	BEAVERHEAD
9	4.00		SWSWNE	9	10S	14W	BEAVERHEAD
10	143.00		SE	9	10S	14W	BEAVERHEAD
11	23.00	8	SESW	9	10S	14W	BEAVERHEAD
12	285.00		N2	10	10S	14W	BEAVERHEAD
13	43.00		NWSW	10	10S	14W	BEAVERHEAD
14	6.00		N2SWSW	10	10S	14W	BEAVERHEAD
15	30.00		NWNW	11	10S	14W	BEAVERHEAD
16	3.00		NWSWNW	11	10S	14W	BEAVERHEAD
17	37.00		NWNE	16	10S	14W	BEAVERHEAD
18	103.00		NW	16	10S	14W	BEAVERHEAD
19	10.00		NWSW	16	10S	14W	BEAVERHEAD
20	8.00		E2SENE	17	10S	14W	BEAVERHEAD
21	26.00		NESE	17	10S	14W	BEAVERHEAD

*Place	of	Use:
--------	----	------

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<u>County</u>
Total:	1,310.00					

#### 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.

95072-00	95073-00	95085-00	95086-00	95087-00	95088-00	95089-00
95090-00	95091-00	95092-00	95093-00	95098-00	95100-00	95106-00
95107-00	95108-00	95109-00	95110-00	95111-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/24/2007: PERIOD OF USE, FLOW RATE.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 07/21/2006.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

## **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95086-00 STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	SEPTEMBER 1, 1886
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:	1,310.00
Source Name:	TRAIL CREEK
Source Type:	SURFACE WATER
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.
*Point of Diversion and I	Veans of Diversion:
ID Govt 1	
1	SENESW 2 10S 14W BEAVERHEAD
	APRIL 1 TO NOVEMBER 1
Diversion Means:	HEADGATE TRAIL CREEK DITCH NO. 7
Ditch Name:	
2 Bariad of Divorcion	NWSWSW 2 10S 14W BEAVERHEAD A PRIL 1 TO NOVEMBER 1
Diversion Means:	HEADGATE
Ditch Name:	TRAIL CREEK DITCH NO. 6

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\*Point of Diversion and Means of Diversion:

$\frac{\text{ID}}{3}$	<u>Govt 1</u>	Lot	<u>Qtr Sec</u> NESESE	<u>Sec</u> 3			<u>County</u> BEAVERHEAD
-	d of Diversion			-		1 - 1 V	DERVEICHER
	sion Means:						
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	5		
4			NWSESE	3	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diver	sion Means:	HEADO	GATE				
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	4		
5			SESESE	9	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diver	sion Means:	HEADO	GATE				
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	3		
6			NWNWSW	16	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diver	sion Means:	HEADO	BATE				
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	2		
7		4	NENWNW	20	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diver	sion Means:	HEADO	BATE				
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	1		
Period of V	Use:	APRIL 1	TO NOVEM	BER 1			

### \*Place of Use:

ID	Acres Govt	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	35.00		SWNW	1	10S	14W	BEAVERHEAD
2	80.00		S2N2	2	10S	14W	BEAVERHEAD
3	68.00		N2SE	2	10S	14W	BEAVERHEAD
4	154.00		SW	2	10S	14W	BEAVERHEAD
5	5.00		S2SENE	3	10S	14W	BEAVERHEAD
6	208.00		S2	3	10S	14W	BEAVERHEAD
7	6.00		S2NENE	9	10S	14W	BEAVERHEAD
8	33.00		SENE	9	10S	14W	BEAVERHEAD
9	4.00		SWSWNE	9	10S	14W	BEAVERHEAD
10	143.00		SE	9	10S	14W	BEAVERHEAD
11	23.00	8	SESW	9	10S	14W	BEAVERHEAD
12	285.00		N2	10	10S	14W	BEAVERHEAD
13	43.00		NWSW	10	10S	14W	BEAVERHEAD
14	6.00		N2SWSW	10	10S	14W	BEAVERHEAD
15	30.00		NWNW	11	10S	14W	BEAVERHEAD
16	3.00		NWSWNW	11	10S	14W	BEAVERHEAD
17	37.00		NWNE	16	10S	14W	BEAVERHEAD
18	103.00		NW	16	10S	14W	BEAVERHEAD
19	10.00		NWSW	16	10S	14W	BEAVERHEAD
20	8.00		E2SENE	17	10S	14W	BEAVERHEAD
21	26.00		NESE	17	10S	14W	BEAVERHEAD

#### \*Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
Total:	1,310.00					

#### Remarks:

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95090-00	95091-00	95092-00	95093-00	95098-00	95100-00	95106-00
95107-00	95108-00	95109-00	95110-00	95111-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 07/21/2006.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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. 1292 , BEAVERHEAD COUNTY. 41A 94865-00, 41A 95086-00.

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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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	<b>41A 95087-00</b> STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	SEPTEMBER 1, 1886
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:	1,310.00
Source Name:	TRAIL CREEK
Source Type:	SURFACE WATER
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.
*Point of Diversion and N	Means of Diversion:
IDGovt I1	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENESW 2 10S 14W BEAVERHEAD
Period of Diversion	: APRIL 1 TO NOVEMBER 1
<b>Diversion Means:</b>	HEADGATE
Ditch Name:	TRAIL CREEK DITCH NO. 7
2	NWSWSW 2 10S 14W BEAVERHEAD
	: APRIL 1 TO NOVEMBER 1
Diversion Means:	HEADGATE TRAIL CREEK DITCH NO. 6
Ditch Name:	INALE GREEK DIGITINO. 0

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\*Point of Diversion and Means of Diversion:

$\frac{\text{ID}}{3}$	<u>Govt 1</u>	Lot	<u>Qtr Sec</u> NESESE	<u>Sec</u> 3			<u>County</u> BEAVERHEAD
-	d of Diversion			-		1 - 1 V	DERVEICHER
	sion Means:						
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	5		
4			NWSESE	3	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diver	sion Means:	HEADO	GATE				
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	4		
5			SESESE	9	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diver	sion Means:	HEADO	GATE				
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	3		
6			NWNWSW	16	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diver	sion Means:	HEADO	BATE				
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	2		
7		4	NENWNW	20	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diver	sion Means:	HEADO	BATE				
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	1		
Period of V	Use:	APRIL 1	TO NOVEM	BER 1			

### \*Place of Use:

ID	Acres Govt	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	35.00		SWNW	1	10S	14W	BEAVERHEAD
2	80.00		S2N2	2	10S	14W	BEAVERHEAD
3	68.00		N2SE	2	10S	14W	BEAVERHEAD
4	154.00		SW	2	10S	14W	BEAVERHEAD
5	5.00		S2SENE	3	10S	14W	BEAVERHEAD
6	208.00		S2	3	10S	14W	BEAVERHEAD
7	6.00		S2NENE	9	10S	14W	BEAVERHEAD
8	33.00		SENE	9	10S	14W	BEAVERHEAD
9	4.00		SWSWNE	9	10S	14W	BEAVERHEAD
10	143.00		SE	9	10S	14W	BEAVERHEAD
11	23.00	8	SESW	9	10S	14W	BEAVERHEAD
12	285.00		N2	10	10S	14W	BEAVERHEAD
13	43.00		NWSW	10	10S	14W	BEAVERHEAD
14	6.00		N2SWSW	10	10S	14W	BEAVERHEAD
15	30.00		NWNW	11	10S	14W	BEAVERHEAD
16	3.00		NWSWNW	11	10S	14W	BEAVERHEAD
17	37.00		NWNE	16	10S	14W	BEAVERHEAD
18	103.00		NW	16	10S	14W	BEAVERHEAD
19	10.00		NWSW	16	10S	14W	BEAVERHEAD
20	8.00		E2SENE	17	10S	14W	BEAVERHEAD
21	26.00		NESE	17	10S	14W	BEAVERHEAD

#### \*Place of Use:

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
Total:	1,310.00					

#### Remarks:

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95072-00	95073-00	95085-00	95086-00	95087-00	95088-00	95089-00
95090-00	95091-00	95092-00	95093-00	95098-00	95100-00	95106-00
95107-00	95108-00	95109-00	95110-00	95111-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 07/21/2006.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95088-00 STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT
Owners:	Status: ACTIVE LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	SEPTEMBER 1, 1886
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:	1,310.00
Source Name:	TRAIL CREEK
Source Type:	SURFACE WATER
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.
*Point of Diversion and N	Means of Diversion:
$\frac{\mathbf{ID}}{1} \qquad \qquad \mathbf{Govt I}$	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENESW 2 10S 14W BEAVERHEAD
	: APRIL 1 TO NOVEMBER 1
Diversion Means:	
Ditch Name:	TRAIL CREEK DITCH NO. 7 NWSWSW 2 10S 14W BEAVERHEAD
2 Period of Diversion	NWSWSW 2 10S 14W BEAVERHEAD APRIL 1 TO NOVEMBER 1
Diversion Means:	HEADGATE
Ditch Name:	TRAIL CREEK DITCH NO. 6

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\*Point of Diversion and Means of Diversion:

<u>ID</u> 3	<u>Govt 1</u>	Lot	<u>Qtr Sec</u> NESESE	<u>Sec</u> 3	<u>Twp</u> 10S	<u>Rge</u> 14W/	<u>County</u> BEAVERHEAD
-	d of Diversion	: APRIL					BERNEINER
Diver	sion Means:	HEADO	GATE				
Ditch	Name:	TRAIL	CREEK DITC	H NO.	5		
4			NWSESE	3	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEM	1BER 1			
Diver	sion Means:	HEADO	GATE				
Ditch	Name:	TRAIL	CREEK DITC	H NO.	4		
5			SESESE	9	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	IBER 1			
Diver	sion Means:	HEADO	GATE				
Ditch	Name:	TRAIL	CREEK DITC	H NO.	3		
6			NWNWSW	16	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	IBER 1			
Diver	sion Means:	HEADO	GATE				
Ditch	Name:	TRAIL	CREEK DITC	H NO.	2		
7		4	NENWNW	20	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diver	sion Means:	HEADO	GATE				
Ditch	Name:	TRAIL	CREEK DITC	H NO.	1		
Period of	Use:	APRIL <sup>2</sup>	1 TO NOVEM	IBER 1			

### \*Place of Use:

ID	Acres Govt	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	35.00		SWNW	1	10S	14W	BEAVERHEAD
2	80.00		S2N2	2	10S	14W	BEAVERHEAD
3	68.00		N2SE	2	10S	14W	BEAVERHEAD
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6	208.00		S2	3	10S	14W	BEAVERHEAD
7	6.00		S2NENE	9	10S	14W	BEAVERHEAD
8	33.00		SENE	9	10S	14W	BEAVERHEAD
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20	8.00		E2SENE	17	10S	14W	BEAVERHEAD
21	26.00		NESE	17	10S	14W	BEAVERHEAD

*Place	of	Use:
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ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<u>County</u>
Total:	1,310.00					

#### Remarks:

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95090-00	95091-00	95092-00	95093-00	95098-00	95100-00	95106-00
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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

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# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

## **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95089-00 STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	SEPTEMBER 1, 1886
Type of Historical Right	t: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	
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	1: 5 - LOW
Maximum Acres:	1,310.00
Source Name:	TRAIL CREEK
Source Type:	SURFACE WATER
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.
*Point of Diversion and I	Means of Diversion:
<u>ID</u> <u>Govt</u>	
1	SENESW 2 10S 14W BEAVERHEAD
	a: APRIL 1 TO NOVEMBER 1
Diversion Means: Ditch Name:	HEADGATE TRAIL CREEK DITCH NO. 7
Ditch Name: 2	NWSWSW 2 10S 14W BEAVERHEAD
	a: APRIL 1 TO NOVEMBER 1
Diversion Means:	HEADGATE
Ditch Name:	TRAIL CREEK DITCH NO. 6

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\*Point of Diversion and Means of Diversion:

$\frac{\text{ID}}{3}$	Govt Lot		<u>Qtr Sec</u> NESESE	<u>Sec</u> 3	<u>Twp</u>	$\underline{\mathbf{Rge}}_{1,4,W}$	<u>County</u> BEAVERHEAD
-	of Diversion		1 TO NOVEN	-		1400	DEAVENIERD
	ion Means:						
				H NO.	5		
4			NWSESE	3	105	14W	BEAVERHEAD
Period	of Diversion	: APRIL	1 TO NOVEN	-			
	ion Means:						
Ditch N	Name:	TRAIL	CREEK DITC	H NO.	4		
5			SESESE	9	10S	14W	BEAVERHEAD
Period	of Diversion	: APRIL	1 TO NOVEN	IBER 1			
Diversi	ion Means:	HEADO	GATE				
Ditch N	Name:	TRAIL	CREEK DITC	H NO.	3		
6			NWNWSW	16	10S	14W	BEAVERHEAD
Period	of Diversion	: APRIL	1 TO NOVEN	IBER 1			
Diversi	ion Means:	HEADO	GATE				
Ditch N	Name:	TRAIL	CREEK DITC	H NO.	2		
7		4	NENWNW	20	10S	14W	BEAVERHEAD
Period	of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diversi	ion Means:	HEADO	GATE				
Ditch N	lame:	TRAIL	CREEK DITC	H NO.	1		
Period of U	se:	APRIL <sup>•</sup>	1 TO NOVEM	IBER 1			

### \*Place of Use:

ID	Acres Gov	t Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	35.00		SWNW	1	10S	14W	BEAVERHEAD
2	80.00		S2N2	2	10S	14W	BEAVERHEAD
3	68.00		N2SE	2	10S	14W	BEAVERHEAD
4	154.00		SW	2	10S	14W	BEAVERHEAD
5	5.00		S2SENE	3	10S	14W	BEAVERHEAD
6	208.00		S2	3	10S	14W	BEAVERHEAD
7	6.00		S2NENE	9	10S	14W	BEAVERHEAD
8	33.00		SENE	9	10S	14W	BEAVERHEAD
9	4.00		SWSWNE	9	10S	14W	BEAVERHEAD
10	143.00		SE	9	10S	14W	BEAVERHEAD
11	23.00	8	SESW	9	10S	14W	BEAVERHEAD
12	285.00		N2	10	10S	14W	BEAVERHEAD
13	43.00		NWSW	10	10S	14W	BEAVERHEAD
14	6.00		N2SWSW	10	10S	14W	BEAVERHEAD
15	30.00		NWNW	11	10S	14W	BEAVERHEAD
16	3.00		NWSWNW	11	10S	14W	BEAVERHEAD
17	37.00		NWNE	16	10S	14W	BEAVERHEAD
18	103.00		NW	16	10S	14W	BEAVERHEAD
19	10.00		NWSW	16	10S	14W	BEAVERHEAD
20	8.00		E2SENE	17	10S	14W	BEAVERHEAD
21	26.00		NESE	17	10S	14W	BEAVERHEAD

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
Total:	1,310.00					

#### Remarks:

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THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

95072-00	95073-00	95085-00	95086-00	95087-00	95088-00	95089-00
95090-00	95091-00	95092-00	95093-00	95098-00	95100-00	95106-00
95107-00	95108-00	95109-00	95110-00	95111-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 07/21/2006.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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. 1292, BEAVERHEAD COUNTY. 41A 95089-00, 41A 95109-00.

NO TYPE OF IRRIGATION SYSTEM HAS BEEN CLAIMED. THE TYPE OF HISTORICAL IRRIGATION APPEARS TO HAVE BEEN A FLOOD SYSTEM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95089-00 Page 4 of 4

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	<b>41A 95090-00</b> STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	SEPTEMBER 1, 1886
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:	1,310.00
Source Name:	TRAIL CREEK
Source Type:	SURFACE WATER
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.
*Point of Diversion and N	Aleans of Diversion:
ID Govt I	
1	SENESW 2 10S 14W BEAVERHEAD
	: APRIL 1 TO NOVEMBER 1
<b>Diversion Means:</b>	HEADGATE
Ditch Name:	TRAIL CREEK DITCH NO. 7
2	NWSWSW 2 10S 14W BEAVERHEAD
	: APRIL 1 TO NOVEMBER 1
Diversion Means:	
Ditch Name:	TRAIL CREEK DITCH NO. 6

MAY 9, 2013 41A 95090-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

$\frac{\text{ID}}{3}$	Govt Lot		<u>Qtr Sec</u> NESESE	<u>Sec</u> 3			<u>County</u> BEAVERHEAD
-	d of Diversion			-		1 - 1 V	DERVEICHER
	sion Means:						
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	5		
4			NWSESE	3	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diver	sion Means:	HEADO	GATE				
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	4		
5			SESESE	9	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diver	sion Means:	HEADO	GATE				
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	3		
6			NWNWSW	16	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diver	sion Means:	HEADO	BATE				
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	2		
7		4	NENWNW	20	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diver	sion Means:	HEADO	BATE				
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	1		
Period of V	Use:	APRIL 1	TO NOVEM	BER 1			

### \*Place of Use:

ID	Acres Govt	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	35.00		SWNW	1	10S	14W	BEAVERHEAD
2	80.00		S2N2	2	10S	14W	BEAVERHEAD
3	68.00		N2SE	2	10S	14W	BEAVERHEAD
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20	8.00		E2SENE	17	10S	14W	BEAVERHEAD
21	26.00		NESE	17	10S	14W	BEAVERHEAD

*Place	of	Use:
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<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
Total:	1,310.00					

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95090-00	95091-00	95092-00	95093-00	95098-00	95100-00	95106-00
95107-00	95108-00	95109-00	95110-00	95111-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/24/2007: PERIOD OF USE, FLOW RATE.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 07/21/2006.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	SEPTEMBER 1, 1886
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:	1,310.00
Source Name:	TRAIL CREEK
Source Type:	SURFACE WATER
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.
*Point of Diversion and N	Means of Diversion:
ID Govt I	
1	SENESW 2 10S 14W BEAVERHEAD
	: APRIL 1 TO NOVEMBER 1
<b>Diversion Means:</b>	HEADGATE
Ditch Name:	TRAIL CREEK DITCH NO. 7
2	NWSWSW 2 10S 14W BEAVERHEAD
	: APRIL 1 TO NOVEMBER 1
Diversion Means:	
Ditch Name:	TRAIL CREEK DITCH NO. 6

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\*Point of Diversion and Means of Diversion:

<u>ID</u> 3	<u>Govt 1</u>	Lot	<u>Qtr Sec</u> NESESE	<u>Sec</u> 3	<u>Twp</u> 10S	<u>Rge</u> 14W/	<u>County</u> BEAVERHEAD
-	d of Diversion	: APRIL					BERNEINER
Diver	sion Means:	HEADO	GATE				
Ditch	Name:	TRAIL	CREEK DITC	H NO.	5		
4			NWSESE	3	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEM	1BER 1			
Diver	sion Means:	HEADO	GATE				
Ditch	Name:	TRAIL	CREEK DITC	H NO.	4		
5			SESESE	9	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	IBER 1			
Diver	sion Means:	HEADO	GATE				
Ditch	Name:	TRAIL	CREEK DITC	H NO.	3		
6			NWNWSW	16	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	IBER 1			
Diver	sion Means:	HEADO	GATE				
Ditch	Name:	TRAIL	CREEK DITC	H NO.	2		
7		4	NENWNW	20	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	IBER 1			
Diver	sion Means:	HEADO	GATE				
Ditch	Name:	TRAIL	CREEK DITC	H NO.	1		
Period of	Use:	APRIL <sup>2</sup>	1 TO NOVEM	IBER 1			

### \*Place of Use:

ID	Acres Govt	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	35.00		SWNW	1	10S	14W	BEAVERHEAD
2	80.00		S2N2	2	10S	14W	BEAVERHEAD
3	68.00		N2SE	2	10S	14W	BEAVERHEAD
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20	8.00		E2SENE	17	10S	14W	BEAVERHEAD
21	26.00		NESE	17	10S	14W	BEAVERHEAD

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<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<u>County</u>
Total:	1,310.00					

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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:	1,310.00
Source Name:	TRAIL CREEK
Source Type:	SURFACE WATER
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.
*Point of Diversion and N	Means of Diversion:
ID Govt I	
1	SENESW 2 10S 14W BEAVERHEAD
	: APRIL 1 TO NOVEMBER 1
Diversion Means: Ditch Name:	HEADGATE TRAIL CREEK DITCH NO. 7
2	NWSWSW 2 10S 14W BEAVERHEAD
	APRIL 1 TO NOVEMBER 1
Diversion Means:	HEADGATE
Ditch Name:	TRAIL CREEK DITCH NO. 6

MAY 9, 2013 41A 95092-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

$\frac{\text{ID}}{3}$	Govt Lot		<u>Qtr Sec</u> NESESE	<u>Sec</u> 3			<u>County</u> BEAVERHEAD
-	d of Diversion			-		1 - 1 V	DERVERNER
	sion Means:						
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	5		
4			NWSESE	3	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diver	sion Means:	HEADO	GATE				
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	4		
5			SESESE	9	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diver	sion Means:	HEADO	GATE				
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	3		
6			NWNWSW	16	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diver	sion Means:	HEADO	BATE				
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	2		
7		4	NENWNW	20	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diver	sion Means:	HEADO	BATE				
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	1		
Period of V	Use:	APRIL 1	TO NOVEM	BER 1			

### \*Place of Use:

ID	Acres Govt	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	35.00		SWNW	1	10S	14W	BEAVERHEAD
2	80.00		S2N2	2	10S	14W	BEAVERHEAD
3	68.00		N2SE	2	10S	14W	BEAVERHEAD
4	154.00		SW	2	10S	14W	BEAVERHEAD
5	5.00		S2SENE	3	10S	14W	BEAVERHEAD
6	208.00		S2	3	10S	14W	BEAVERHEAD
7	6.00		S2NENE	9	10S	14W	BEAVERHEAD
8	33.00		SENE	9	10S	14W	BEAVERHEAD
9	4.00		SWSWNE	9	10S	14W	BEAVERHEAD
10	143.00		SE	9	10S	14W	BEAVERHEAD
11	23.00	8	SESW	9	10S	14W	BEAVERHEAD
12	285.00		N2	10	10S	14W	BEAVERHEAD
13	43.00		NWSW	10	10S	14W	BEAVERHEAD
14	6.00		N2SWSW	10	10S	14W	BEAVERHEAD
15	30.00		NWNW	11	10S	14W	BEAVERHEAD
16	3.00		NWSWNW	11	10S	14W	BEAVERHEAD
17	37.00		NWNE	16	10S	14W	BEAVERHEAD
18	103.00		NW	16	10S	14W	BEAVERHEAD
19	10.00		NWSW	16	10S	14W	BEAVERHEAD
20	8.00		E2SENE	17	10S	14W	BEAVERHEAD
21	26.00		NESE	17	10S	14W	BEAVERHEAD

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u>	<u>County</u>
Total:	1,310.00					

#### Remarks:

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THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

95072-00	95073-00	95085-00	95086-00	95087-00	95088-00	95089-00
95090-00	95091-00	95092-00	95093-00	95098-00	95100-00	95106-00
95107-00	95108-00	95109-00	95110-00	95111-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 07/21/2006.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 06/27/2006.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

## **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95093-00 STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	AUGUST 5, 1900
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	1.80 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:	1,310.00
Source Name:	TRAIL CREEK
Source Type:	SURFACE WATER
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.
*Point of Diversion and I	Means of Diversion:
<u>ID</u> <u>Govt 1</u>	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENESW 2 10S 14W BEAVERHEAD
	APRIL 1 TO NOVEMBER 1
Diversion Means:	
Ditch Name:	TRAIL CREEK DITCH NO. 7 NWSWSW 2 10S 14W BEAVERHEAD
2 Period of Diversion	NWSWSW 2 10S 14W BEAVERHEAD A: APRIL 1 TO NOVEMBER 1
Diversion Means:	HEADGATE
Ditch Name:	TRAIL CREEK DITCH NO. 6

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\*Point of Diversion and Means of Diversion:

$\frac{\text{ID}}{3}$	Govt Lot		<u>Qtr Sec</u> NESESE	<u>Sec</u> 3			<u>County</u> BEAVERHEAD
-	d of Diversion			-		1 - 1 V	DERVERNER
	sion Means:						
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	5		
4			NWSESE	3	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diver	sion Means:	HEADO	GATE				
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	4		
5			SESESE	9	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diver	sion Means:	HEADO	GATE				
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	3		
6			NWNWSW	16	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diver	sion Means:	HEADO	BATE				
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	2		
7		4	NENWNW	20	10S	14W	BEAVERHEAD
Perio	d of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diver	sion Means:	HEADO	BATE				
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	1		
Period of V	Use:	APRIL 1	TO NOVEM	BER 1			

### \*Place of Use:

ID	Acres Govt	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	35.00		SWNW	1	10S	14W	BEAVERHEAD
2	80.00		S2N2	2	10S	14W	BEAVERHEAD
3	68.00		N2SE	2	10S	14W	BEAVERHEAD
4	154.00		SW	2	10S	14W	BEAVERHEAD
5	5.00		S2SENE	3	10S	14W	BEAVERHEAD
6	208.00		S2	3	10S	14W	BEAVERHEAD
7	6.00		S2NENE	9	10S	14W	BEAVERHEAD
8	33.00		SENE	9	10S	14W	BEAVERHEAD
9	4.00		SWSWNE	9	10S	14W	BEAVERHEAD
10	143.00		SE	9	10S	14W	BEAVERHEAD
11	23.00	8	SESW	9	10S	14W	BEAVERHEAD
12	285.00		N2	10	10S	14W	BEAVERHEAD
13	43.00		NWSW	10	10S	14W	BEAVERHEAD
14	6.00		N2SWSW	10	10S	14W	BEAVERHEAD
15	30.00		NWNW	11	10S	14W	BEAVERHEAD
16	3.00		NWSWNW	11	10S	14W	BEAVERHEAD
17	37.00		NWNE	16	10S	14W	BEAVERHEAD
18	103.00		NW	16	10S	14W	BEAVERHEAD
19	10.00		NWSW	16	10S	14W	BEAVERHEAD
20	8.00		E2SENE	17	10S	14W	BEAVERHEAD
21	26.00		NESE	17	10S	14W	BEAVERHEAD

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
Total:	1,310.00					

#### 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.

95072-00	95073-00	95085-00	95086-00	95087-00	95088-00	95089-00
95090-00	95091-00	95092-00	95093-00	95098-00	95100-00	95106-00
95107-00	95108-00	95109-00	95110-00	95111-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 07/21/2006.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95094-00 STATEMENT OF CLAIM
	Version: 2 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	JUNE 1, 1896
Type of Historical Right	: DECREED
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:	898.00
Source Name:	BLOODY DICK CREEK
Source Type:	SURFACE WATER
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.
Point of Diversion and M	Aeans of Diversion:
ID Govt I	
1	SESWNW 3 10S 14W BEAVERHEAD
	: APRIL 1 TO NOVEMBER 1
Diversion Means:	
Ditch Name:	BLOODY DICK CREEK DITCH NO. 3
2	NENESE 4 10S 14W BEAVERHEAD
	APRIL 1 TO NOVEMBER 1
Diversion Means:	HEADGATE BLOODY DICK CREEK DITCH NO. 2
Ditch Name:	BLOODT DIGN GREEN DITURINU. Z

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#### **Point of Diversion and Means of Diversion:**

ID Govt	Govt Lot		Sec	Twp	Rge	<b>County</b>
3	1	NENWSE	4	10S	14W	BEAVERHEAD
Period of Diversion: APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b>	HEADGA	TE				
Ditch Name:	BLOODY DICK CREEK DITCH NO. 1					
Period of Use:	APRIL 1	TO NOVEM	BER 1			

\*Place of Use:

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	194.00	S2	35	9S	14W	BEAVERHEAD
2	2.00	W2NWSW	36	9S	14W	BEAVERHEAD
3	10.00	W2NW	1	10S	14W	BEAVERHEAD
4	273.00	N2	2	10S	14W	BEAVERHEAD
5	160.00	NE	3	10S	14W	BEAVERHEAD
6	15.00	NWSE	3	10S	14W	BEAVERHEAD
7	168.00	W2	3	10S	14W	BEAVERHEAD
8	1.00	SESENE	4	10S	14W	BEAVERHEAD
9	75.00	SE	4	10S	14W	BEAVERHEAD
Total:	898.00					

#### **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.

95094-00 95095-00 95096-00 95097-00 95099-00 95101-00 95102-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 07/21/2006.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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-14P-55, CXM-7B-131 , DATED 08/15/1942 , APPEARS TO INDICATE 543.00 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95095-00 STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT Status: ACTIVE		
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140		
Priority Date:	JULY 1, 1893		
Type of Historical Right	: DECREED		
Purpose(use):	IRRIGATION		
Irrigation Type:	FLOOD		
Flow Rate:	6.60 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:	898.00		
Source Name:	BLOODY DICK CREEK		
Source Type:	SURFACE WATER		
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.		
Point of Diversion and N	Means of Diversion:		
IDGovt I1	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SESWNW 3 10S 14W BEAVERHEAD		
Period of Diversion	: APRIL 1 TO NOVEMBER 1		
<b>Diversion Means:</b>	HEADGATE		
Ditch Name:	BLOODY DICK CREEK DITCH NO. 3		
2	NENESE 4 10S 14W BEAVERHEAD		
	: APRIL 1 TO NOVEMBER 1		
Diversion Means: Ditch Name:	HEADGATE BLOODY DICK CREEK DITCH NO. 2		

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#### **Point of Diversion and Means of Diversion:**

ID Govt	Govt Lot		Sec	Twp	Rge	<b>County</b>
3	1	NENWSE	4	10S	14W	BEAVERHEAD
Period of Diversion: APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b>	HEADGA	TE				
Ditch Name:	BLOODY DICK CREEK DITCH NO. 1					
Period of Use:	APRIL 1	TO NOVEM	BER 1			

\*Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	194.00	S2	35	9S	14W	BEAVERHEAD
2	2.00	W2NWSW	36	9S	14W	BEAVERHEAD
3	10.00	W2NW	1	10S	14W	BEAVERHEAD
4	273.00	N2	2	10S	14W	BEAVERHEAD
5	160.00	NE	3	10S	14W	BEAVERHEAD
6	15.00	NWSE	3	10S	14W	BEAVERHEAD
7	168.00	W2	3	10S	14W	BEAVERHEAD
8	1.00	SESENE	4	10S	14W	BEAVERHEAD
9	75.00	SE	4	10S	14W	BEAVERHEAD
Total:	898.00					

#### **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.

95094-00 95095-00 95096-00 95097-00 95099-00 95101-00 95102-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 07/21/2006.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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-14P-55 , DATED 08/09/1955 , APPEARS TO INDICATE 543.03 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	<b>41A 95096-00</b> STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT
Owners:	Status: ACTIVE LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	JULY 1, 1897
Type of Historical Right	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	168.30 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:	898.00
Source Name:	BLOODY DICK CREEK
Source Type:	SURFACE WATER
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.
Point of Diversion and N	Aeans of Diversion:
ID Govt I	Lot <u>Qtr Sec</u> Sec <u>Twp</u> <u>Rge</u> <u>County</u> SESWNW 3 10S 14W BEAVERHEAD
Period of Diversion	: APRIL 1 TO NOVEMBER 1
<b>Diversion Means:</b>	HEADGATE
Ditch Name:	BLOODY DICK CREEK DITCH NO. 3
2	NENESE 4 10S 14W BEAVERHEAD
	: APRIL 1 TO NOVEMBER 1
<b>Diversion Means:</b>	HEADGATE
Ditch Name:	BLOODY DICK CREEK DITCH NO. 2

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#### **Point of Diversion and Means of Diversion:**

ID Govt	Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
3		NENWSE	4	10S	14W	BEAVERHEAD
Period of Diversion: APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b>	HEADG	ATE				
Ditch Name:	BLOOD	Y DICK CRE	EK DIT	CH NC	D. 1	
Period of Use:	APRIL 1	TO NOVEM	BER 1			

\*Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	194.00	S2	35	9S	14W	BEAVERHEAD
2	2.00	W2NWSW	36	9S	14W	BEAVERHEAD
3	10.00	W2NW	1	10S	14W	BEAVERHEAD
4	273.00	N2	2	10S	14W	BEAVERHEAD
5	160.00	NE	3	10S	14W	BEAVERHEAD
6	15.00	NWSE	3	10S	14W	BEAVERHEAD
7	168.00	W2	3	10S	14W	BEAVERHEAD
8	1.00	SESENE	4	10S	14W	BEAVERHEAD
9	75.00	SE	4	10S	14W	BEAVERHEAD
Total:	898.00					

#### **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.

95094-00 95095-00 95096-00 95097-00 95099-00 95101-00 95102-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 07/21/2006.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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-14P-55 , DATED 08/09/1955 , APPEARS TO INDICATE 543.00 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	<b>41A 95097-00</b> STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	JULY 15, 1887
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:	898.00
Source Name:	BLOODY DICK CREEK
Source Type:	SURFACE WATER
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.
Point of Diversion and N	Means of Diversion:
<u>ID</u> <u>Govt I</u>	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SESWNW 3 10S 14W BEAVERHEAD
Period of Diversion	: APRIL 1 TO NOVEMBER 1
<b>Diversion Means:</b>	HEADGATE
Ditch Name:	BLOODY DICK CREEK DITCH NO. 3
2	NENESE 4 10S 14W BEAVERHEAD
	: APRIL 1 TO NOVEMBER 1
Diversion Means: Ditch Name:	HEADGATE BLOODY DICK CREEK DITCH NO. 2
DIUII Ivaille.	BEOODT DIOR ONLER DITOTING. 2

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MAY 9, 2013 41A 95097-00 Page 2 of 3

#### **Point of Diversion and Means of Diversion:**

ID Govt	Govt Lot		Sec	Twp	Rge	<b>County</b>
3	1	NENWSE	4	10S	14W	BEAVERHEAD
Period of Diversion: APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b>	HEADGA	TE				
Ditch Name:	BLOODY DICK CREEK DITCH NO. 1					
Period of Use:	APRIL 1	TO NOVEM	BER 1			

\*Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	194.00	S2	35	9S	14W	BEAVERHEAD
2	2.00	W2NWSW	36	9S	14W	BEAVERHEAD
3	10.00	W2NW	1	10S	14W	BEAVERHEAD
4	273.00	N2	2	10S	14W	BEAVERHEAD
5	160.00	NE	3	10S	14W	BEAVERHEAD
6	15.00	NWSE	3	10S	14W	BEAVERHEAD
7	168.00	W2	3	10S	14W	BEAVERHEAD
8	1.00	SESENE	4	10S	14W	BEAVERHEAD
9	75.00	SE	4	10S	14W	BEAVERHEAD
Total:	898.00					

#### **Remarks:**

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THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

95094-00 95095-00 95096-00 95097-00 95099-00 95101-00 95102-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 06/27/2006.

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 07/21/2006.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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-14P-55 , DATED 08/09/1955 , APPEARS TO INDICATE 543.00 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

## **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95098-00 STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT Status: ACTIVE		
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140		
Priority Date:	NOVEMBER 18, 1881		
Type of Historical Right	: DECREED		
Purpose(use):	IRRIGATION		
Irrigation Type:	FLOOD		
Flow Rate:	1.53 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:	1,310.00		
Source Name:	TRAIL CREEK		
Source Type:	SURFACE WATER		
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.		
*Point of Diversion and M	Means of Diversion:		
IDGovt I1	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENESW 2 10S 14W BEAVERHEAD		
<b>Period of Diversion</b>	: APRIL 1 TO NOVEMBER 1		
Diversion Means:	HEADGATE		
Ditch Name:	TRAIL CREEK DITCH NO. 7		
2 Deried of Dimension	NWSWSW 2 10S 14W BEAVERHEAD		
Diversion Means:	: APRIL 1 TO NOVEMBER 1 HEADGATE		
Ditch Name:	TRAIL CREEK DITCH NO. 6		

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\*Point of Diversion and Means of Diversion:

<u>ID</u> 3	Govt Lot		<u>Qtr Sec</u> NESESE	<u>Sec</u> 3	<u>Twp</u>	<u>Rge</u>	<u>County</u> BEAVERHEAD	
-	<b>AD</b> ! !					1400	DEAVERNEAD	
			1 TO NOVEN	IBER 1				
Diversio	on Means:	HEAD	HEADGATE					
Ditch N	ame:	TRAIL	TRAIL CREEK DITCH NO. 5					
4			NWSESE	3	10S	14W	BEAVERHEAD	
Period	of Diversion	: APRIL	1 TO NOVEM	1BER 1				
Diversio	on Means:	HEAD	GATE					
Ditch N	ame:	TRAIL	CREEK DITC	H NO.	4			
5			SESESE	9	10S	14W	BEAVERHEAD	
Period	of Diversion	: APRIL	1 TO NOVEM	IBER 1				
Diversio	on Means:	HEAD	GATE					
Ditch N	ame:	TRAIL	CREEK DITC	H NO.	3			
6			NWNWSW	16	10S	14W	BEAVERHEAD	
Period	of Diversion	: APRIL	1 TO NOVEM	1BER 1				
Diversio	on Means:	HEAD	GATE					
Ditch N	ame:	TRAIL	CREEK DITC	H NO.	2			
7		4	NENWNW	20	10S	14W	BEAVERHEAD	
Period of	Period of Diversion: APRIL 1 TO NOVEMBER 1							
Diversio	on Means:	HEAD	GATE					
Ditch N	ame:	TRAIL	CREEK DITC	H NO.	1			
Period of Us	e:	APRIL	1 TO NOVEM	IBER 1				

### \*Place of Use:

<u>ID</u>	Acres Gov	t Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	35.00		SWNW	1	10S	14W	BEAVERHEAD
2	80.00		S2N2	2	10S	14W	BEAVERHEAD
3	68.00		N2SE	2	10S	14W	BEAVERHEAD
4	154.00		SW	2	10S	14W	BEAVERHEAD
5	5.00		S2SENE	3	10S	14W	BEAVERHEAD
6	208.00		S2	3	10S	14W	BEAVERHEAD
7	6.00		S2NENE	9	10S	14W	BEAVERHEAD
8	33.00		SENE	9	10S	14W	BEAVERHEAD
9	4.00		SWSWNE	9	10S	14W	BEAVERHEAD
10	143.00		SE	9	10S	14W	BEAVERHEAD
11	23.00	8	SESW	9	10S	14W	BEAVERHEAD
12	285.00		N2	10	10S	14W	BEAVERHEAD
13	43.00		NWSW	10	10S	14W	BEAVERHEAD
14	6.00		N2SWSW	10	10S	14W	BEAVERHEAD
15	30.00		NWNW	11	10S	14W	BEAVERHEAD
16	3.00		NWSWNW	11	10S	14W	BEAVERHEAD
17	37.00		NWNE	16	10S	14W	BEAVERHEAD
18	103.00		NW	16	10S	14W	BEAVERHEAD
19	10.00		NWSW	16	10S	14W	BEAVERHEAD
20	8.00		E2SENE	17	10S	14W	BEAVERHEAD
21	26.00		NESE	17	10S	14W	BEAVERHEAD

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
Total:	1,310.00					

#### 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.

95072-00	95073-00	95085-00	95086-00	95087-00	95088-00	95089-00
95090-00	95091-00	95092-00	95093-00	95098-00	95100-00	95106-00
95107-00	95108-00	95109-00	95110-00	95111-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/24/2007: PERIOD OF USE, FLOW RATE, PRIORITY DATE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 07/21/2006.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

## **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95099-00 STATEMENT OF CLAIM
	Version: 2 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	SEPTEMBER 1, 1886
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	8.50 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:	898.00
Source Name:	BLOODY DICK CREEK
Source Type:	SURFACE WATER
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.
Point of Diversion and N	Aeans of Diversion:
IDGovt I1	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SESWNW 3 10S 14W BEAVERHEAD
Period of Diversion	: APRIL 1 TO NOVEMBER 1
<b>Diversion Means:</b>	HEADGATE
Ditch Name:	BLOODY DICK CREEK DITCH NO. 3
2	NENESE 4 10S 14W BEAVERHEAD
	: APRIL 1 TO NOVEMBER 1
Diversion Means:	
Ditch Name:	BLOODY DICK CREEK DITCH NO. 2

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#### **Point of Diversion and Means of Diversion:**

ID Govt	Govt Lot		Sec	Twp	Rge	<b>County</b>
3	1	NENWSE	4	10S	14W	BEAVERHEAD
Period of Diversion: APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b>	HEADGA	TE				
Ditch Name:	Ditch Name: BLOODY DICK CREEK DITCH NO. 1					
Period of Use:	APRIL 1	TO NOVEM	BER 1			

\*Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	194.00	S2	35	9S	14W	BEAVERHEAD
2	2.00	W2NWSW	36	9S	14W	BEAVERHEAD
3	10.00	W2NW	1	10S	14W	BEAVERHEAD
4	273.00	N2	2	10S	14W	BEAVERHEAD
5	160.00	NE	3	10S	14W	BEAVERHEAD
6	15.00	NWSE	3	10S	14W	BEAVERHEAD
7	168.00	W2	3	10S	14W	BEAVERHEAD
8	1.00	SESENE	4	10S	14W	BEAVERHEAD
9	75.00	SE	4	10S	14W	BEAVERHEAD
Total:	898.00					

#### **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.

95094-00 95095-00 95096-00 95097-00 95099-00 95101-00 95102-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 07/21/2006.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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-14P-55 , DATED 08/09/1955 , APPEARS TO INDICATE 543.00 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

## **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95100-00 STATEMENT OF CLAIM
	Version: 2 ORIGINAL RIGHT Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	AUGUST 1, 1900
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:	1,310.00
Source Name:	TRAIL CREEK
Source Type:	SURFACE WATER
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.
*Point of Diversion and N	Means of Diversion:
$\frac{\mathbf{ID}}{1} \qquad \qquad \mathbf{Govt I}$	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENESW 2 10S 14W BEAVERHEAD
	: APRIL 1 TO NOVEMBER 1
Diversion Means:	HEADGATE TRAIL CREEK DITCH NO. 7
Ditch Name: 2	NWSWSW 2 10S 14W BEAVERHEAD
	: APRIL 1 TO NOVEMBER 1
Diversion Means:	HEADGATE
Ditch Name:	TRAIL CREEK DITCH NO. 6

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\*Point of Diversion and Means of Diversion:

$\frac{\text{ID}}{3}$	Govt Lot		<u>Qtr Sec</u> NESESE	<u>Sec</u> 3	<u>Twp</u>	$\underline{\mathbf{Rge}}_{1,4,W}$	<u>County</u> BEAVERHEAD		
-	of Diversion		1 TO NOVEN	-		1400	DEAVENIERD		
	ion Means:								
			TRAIL CREEK DITCH NO. 5						
4			NWSESE	3	105	14W	BEAVERHEAD		
Period	of Diversion	: APRIL	1 TO NOVEN	-					
	ion Means:								
Ditch N	Name:	TRAIL	CREEK DITC	H NO.	4				
5			SESESE	9	10S	14W	BEAVERHEAD		
Period	of Diversion	: APRIL	1 TO NOVEN	IBER 1					
Diversi	ion Means:								
Ditch N	Name:	TRAIL	CREEK DITC	H NO.	3				
6			NWNWSW	16	10S	14W	BEAVERHEAD		
Period	Period of Diversion: APRIL 1 TO NOVEMBER 1								
Diversi	ion Means:	HEADO	GATE						
Ditch N	Name:	TRAIL	CREEK DITC	H NO.	2				
7		4	NENWNW	20	10S	14W	BEAVERHEAD		
Period	Period of Diversion: APRIL 1 TO NOVEMBER 1								
Diversi	ion Means:	HEADO	GATE						
Ditch N	lame:	TRAIL	CREEK DITC	H NO.	1				
Period of U	se:	APRIL <sup>•</sup>	1 TO NOVEM	IBER 1					

### \*Place of Use:

ID	Acres Govt	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	35.00		SWNW	1	10S	14W	BEAVERHEAD
2	80.00		S2N2	2	10S	14W	BEAVERHEAD
3	68.00		N2SE	2	10S	14W	BEAVERHEAD
4	154.00		SW	2	10S	14W	BEAVERHEAD
5	5.00		S2SENE	3	10S	14W	BEAVERHEAD
6	208.00		S2	3	10S	14W	BEAVERHEAD
7	6.00		S2NENE	9	10S	14W	BEAVERHEAD
8	33.00		SENE	9	10S	14W	BEAVERHEAD
9	4.00		SWSWNE	9	10S	14W	BEAVERHEAD
10	143.00		SE	9	10S	14W	BEAVERHEAD
11	23.00	8	SESW	9	10S	14W	BEAVERHEAD
12	285.00		N2	10	10S	14W	BEAVERHEAD
13	43.00		NWSW	10	10S	14W	BEAVERHEAD
14	6.00		N2SWSW	10	10S	14W	BEAVERHEAD
15	30.00		NWNW	11	10S	14W	BEAVERHEAD
16	3.00		NWSWNW	11	10S	14W	BEAVERHEAD
17	37.00		NWNE	16	10S	14W	BEAVERHEAD
18	103.00		NW	16	10S	14W	BEAVERHEAD
19	10.00		NWSW	16	10S	14W	BEAVERHEAD
20	8.00		E2SENE	17	10S	14W	BEAVERHEAD
21	26.00		NESE	17	10S	14W	BEAVERHEAD

*Place of	Use:
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<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
Total:	1,310.00					

#### 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.

95072-00	95073-00	95085-00	95086-00	95087-00	95088-00	95089-00
95090-00	95091-00	95092-00	95093-00	95098-00	95100-00	95106-00
95107-00	95108-00	95109-00	95110-00	95111-00		

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.

95100-00 95104-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/27/2006.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 07/21/2006.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95100-00 Page 4 of 4

# PRELIMINARY DECREE **RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

## **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95101-00 STATEMENT OF CLAIM
	Version: 2 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	SEPTEMBER 1, 1886
Type of Historical Right	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	1.95 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:	898.00
Source Name:	BLOODY DICK CREEK
Source Type:	SURFACE WATER
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.
Point of Diversion and N	Aeans of Diversion:
<u>ID</u> <u>Govt I</u>	
1	SESWNW 3 10S 14W BEAVERHEAD
Period of Diversion Diversion Means:	: APRIL 1 TO NOVEMBER 1 HEADGATE
Diversion Means: Ditch Name:	BLOODY DICK CREEK DITCH NO. 3
2	NENESE 4 10S 14W BEAVERHEAD
_	: APRIL 1 TO NOVEMBER 1
Diversion Means:	HEADGATE
Ditch Name:	BLOODY DICK CREEK DITCH NO. 2

MAY 9, 2013 41A 95101-00 Page 2 of 3

#### **Point of Diversion and Means of Diversion:**

<u>ID</u> <u>Govt</u>	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
3		NENWSE	4	10S	14W	BEAVERHEAD
Period of Diversion: APRIL 1 TO NOVEMBER 1						
<b>Diversion Means:</b>	HEADGA	ATE				
Ditch Name:	BLOODY	/ DICK CRE	EK DIT	CH NC	D. 1	
Period of Use:	APRIL 1	TO NOVEM	BER 1			

\*Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	194.00	S2	35	9S	14W	BEAVERHEAD
2	2.00	W2NWSW	36	9S	14W	BEAVERHEAD
3	10.00	W2NW	1	10S	14W	BEAVERHEAD
4	273.00	N2	2	10S	14W	BEAVERHEAD
5	160.00	NE	3	10S	14W	BEAVERHEAD
6	15.00	NWSE	3	10S	14W	BEAVERHEAD
7	168.00	W2	3	10S	14W	BEAVERHEAD
8	1.00	SESENE	4	10S	14W	BEAVERHEAD
9	75.00	SE	4	10S	14W	BEAVERHEAD
Total:	898.00					

#### **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.

95094-00 95095-00 95096-00 95097-00 95099-00 95101-00 95102-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 07/21/2006.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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-14P-55 , DATED 08/09/1955 , APPEARS TO INDICATE 543.00 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	<b>41A 95102-00</b> STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT				
Owners:	Status: ACTIVE LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140				
Priority Date:	JUNE 1, 1896				
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 Areas	: 5 - LOW				
Maximum Acres:	42.00				
Source Name:	MAGPIE GULCH				
Source Type:	SURFACE WATER				
	ALSO KNOWN AS HOWELL SPRING DIVERSION (1910)				
	ALSO KNOWN AS FREEMAN CREEK (1900)				
	THE SOURCE IS A TRIBUTARY OF BLOODY DICK CREEK.				
*Point of Diversion and M	Aeans of Diversion:				
<u>ID</u> <u>Govt I</u>					
1	7 SENESW 4 10S 14W BEAVERHEAD				
Period of Diversion Diversion Means:	: APRIL 1 TO NOVEMBER 1 HEADGATE				
Diversion Means: Ditch Name:	HOWELL SPRING DITCH				
Period of Use:	APRIL 1 TO NOVEMBER 1				

#### Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>
1	42.00	SE	4	10S	14W	BEAVERHEAD
Total:	42.00					

### 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.

95094-00 95095-00 95096-00 95097-00 95099-00 95101-00 95102-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: PLACE OF USE, FLOW RATE, PRIORITY DATE, TYPE OF HISTORICAL RIGHT, PURPOSE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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). 979-98, DATED 09/20/1979, APPEARS TO INDICATE 29.82 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-14P-55 , DATED 08/09/1955 , APPEARS TO INDICATE 27.73 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 MAGPIE GULCH (HOWELL SPRING DIVERSION 1910) WITH A PRIORITY DATE PREDATING CASE NO. 1292 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95102-00 Page 3 of 3

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95103-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140				
<b>Priority Date:</b>	NOVEMBER 1, 1881				
Type of Historical Right	t: DECREED				
Purpose(use):	STOCK				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.				
Source Name:	TRAIL CREEK				
Source Type:	SURFACE WATER				
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.				
*Point of Diversion and Means of Diversion:					
<u>ID</u> <u>Govt</u>					
1	4 NENWNW 20 10S 14W BEAVERHEAD				
	n: SEPTEMBER 1 TO JUNE 1				
<b>Diversion Means:</b>	HEADGATE				
Dital Names					

Ditch Name: TRAIL CREEK DITCH NO. 1

Period of Use: SEPTEMBER 1 TO JUNE 1

### \*Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1		NESE	17	10S	14W	BEAVERHEAD
2		S2SE	17	10S	14W	BEAVERHEAD
3		SESW	17	10S	14W	BEAVERHEAD
4	3	N2NENW	20	10S	14W	BEAVERHEAD
5	4	NENWNW	20	10S	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.

94816-00 95103-00 95108-00

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 08/24/2012.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 10/04/2012 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY SHESER CREEK LLC.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Period of Use:

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95104-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140				
<b>Priority Date:</b>	AUGUST 1, 1900				
Type of Historical Righ	t: DECREED				
Purpose(use):	STOCK				
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.				
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.				
Source Name:	TRAIL CREEK				
Source Type:	SURFACE WATER				
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.				
*Point of Diversion and Means of Diversion:					
IDGovt1	LotQtr SecSecTwpRgeCountySESESE910S14WBEAVERHEAD				
Period of Diversion	n: SEPTEMBER 1 TO MAY 30				
<b>Diversion Means:</b>	HEADGATE				
Ditch Name:	Ditch Name: TRAIL CREEK DITCH NO. 3				

SEPTEMBER 1 TO MAY 30

### Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1		SENE	10	10S	14W	BEAVERHEAD
2		SESWNE	10	10S	14W	BEAVERHEAD
3		SENWNW	11	10S	14W	BEAVERHEAD
4		NWSWNW	11	10S	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.

95100-00 95104-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95105-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	NOVEMBER 1, 1881
Type of Historical Right	t: DECREED
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	TRAIL CREEK
Source Type:	SURFACE WATER
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.
*Point of Diversion and	Means of Diversion:
IDGovt1	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SESESE 9 10S 14W BEAVERHEAD
Period of Diversion	n: NOVEMBER 2 TO MARCH 31
<b>Diversion Means:</b>	HEADGATE
Ditch Name:	TRAIL CREEK DITCH NO. 3

Period of Use: NOVEMBER 2 TO MARCH 31

### \*Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<b>County</b>
1		NESESE	9	10S	14W	BEAVERHEAD
2		NE	10	10S	14W	BEAVERHEAD
3		SESENW	10	10S	14W	BEAVERHEAD
4		W2SW	10	10S	14W	BEAVERHEAD

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/30/2012: PERIOD OF DIVERSION, MEANS OF DIVERSION, PERIOD OF USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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. 1292, BEAVERHEAD COUNTY. 41A 94813-00, 41A 95105-00.

THE CLAIMS LISTED FOLLOWING THIS STATEMENT MAY BE A MULTIPLE USE OF THE SAME RIGHT. THESE CLAIMS MAY NEED A MULTIPLE USE REMARK. 41A 95098-00, 41A 95105-00.

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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	<b>41A 95106-00</b> STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	MAY 1, 1882
Type of Historical Right	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	4.53 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:	1,310.00
Source Name:	TRAIL CREEK
Source Type:	SURFACE WATER
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.
*Point of Diversion and I	Means of Diversion:
IDGovt I1	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENESW 2 10S 14W BEAVERHEAD
Period of Diversion	: APRIL 1 TO NOVEMBER 1
<b>Diversion Means:</b>	HEADGATE
Ditch Name:	TRAIL CREEK DITCH NO. 7
2	NWSWSW 2 10S 14W BEAVERHEAD
	: APRIL 1 TO NOVEMBER 1
Diversion Means:	HEADGATE TRAIL CREEK DITCH NO. 6
Ditch Name:	INAIL UNEEN DITUTINU. 0

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\*Point of Diversion and Means of Diversion:

$\frac{\text{ID}}{3}$	Govt Lot		<u>Qtr Sec</u> NESESE	<u>Sec</u> 3			<u>County</u> BEAVERHEAD		
-	d of Diversion			-		1 - 1 V	DERVERNER		
	sion Means:								
Ditch	Name:	TRAIL (	TRAIL CREEK DITCH NO. 5						
4			NWSESE	3	10S	14W	BEAVERHEAD		
Perio	d of Diversion	: APRIL	1 TO NOVEN	1BER 1					
Diver	sion Means:	HEADO	GATE						
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	4				
5			SESESE	9	10S	14W	BEAVERHEAD		
Perio	d of Diversion	: APRIL	1 TO NOVEN	1BER 1					
Diver	sion Means:	HEADO	GATE						
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	3				
6			NWNWSW	16	10S	14W	BEAVERHEAD		
Perio	d of Diversion	: APRIL	1 TO NOVEN	1BER 1					
Diver	sion Means:	HEADO	BATE						
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	2				
7		4	NENWNW	20	10S	14W	BEAVERHEAD		
Perio	Period of Diversion: APRIL 1 TO NOVEMBER 1								
Diver	sion Means:	HEADGATE							
Ditch	Name:	TRAIL (	CREEK DITC	H NO.	1				
Period of V	Use:	APRIL 1	TO NOVEM	BER 1					

## \*Place of Use:

ID	Acres Gov	t Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	35.00		SWNW	1	10S	14W	BEAVERHEAD
2	80.00		S2N2	2	10S	14W	BEAVERHEAD
3	68.00		N2SE	2	10S	14W	BEAVERHEAD
4	154.00		SW	2	10S	14W	BEAVERHEAD
5	5.00		S2SENE	3	10S	14W	BEAVERHEAD
6	208.00		S2	3	10S	14W	BEAVERHEAD
7	6.00		S2NENE	9	10S	14W	BEAVERHEAD
8	33.00		SENE	9	10S	14W	BEAVERHEAD
9	4.00		SWSWNE	9	10S	14W	BEAVERHEAD
10	143.00		SE	9	10S	14W	BEAVERHEAD
11	23.00	8	SESW	9	10S	14W	BEAVERHEAD
12	285.00		N2	10	10S	14W	BEAVERHEAD
13	43.00		NWSW	10	10S	14W	BEAVERHEAD
14	6.00		N2SWSW	10	10S	14W	BEAVERHEAD
15	30.00		NWNW	11	10S	14W	BEAVERHEAD
16	3.00		NWSWNW	11	10S	14W	BEAVERHEAD
17	37.00		NWNE	16	10S	14W	BEAVERHEAD
18	103.00		NW	16	10S	14W	BEAVERHEAD
19	10.00		NWSW	16	10S	14W	BEAVERHEAD
20	8.00		E2SENE	17	10S	14W	BEAVERHEAD
21	26.00		NESE	17	10S	14W	BEAVERHEAD

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
Total:	1,310.00					

#### 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.

95072-00	95073-00	95085-00	95086-00	95087-00	95088-00	95089-00
95090-00	95091-00	95092-00	95093-00	95098-00	95100-00	95106-00
95107-00	95108-00	95109-00	95110-00	95111-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: PURPOSE, FLOW RATE, PRIORITY DATE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 07/21/2006.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 06/27/2006 TO AMEND THE PURPOSE, POINT OF DIVERSION, PLACE OF USE, FLOW RATE, AND PRIORITY DATE. THE AMENDMENT SUBSTANTIALLY CHANGES THE ORIGINALLY FILED STATEMENT OF 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95106-00 Page 4 of 4

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	<b>41A 95107-00</b> STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	SEPTEMBER 1, 1886
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:	1,310.00
Source Name:	TRAIL CREEK
Source Type:	SURFACE WATER
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.
*Point of Diversion and I	Means of Diversion:
<u>ID</u> <u>Govt 1</u>	
1	SENESW 2 10S 14W BEAVERHEAD
	: APRIL 1 TO NOVEMBER 1
Diversion Means:	
Ditch Name:	TRAIL CREEK DITCH NO. 7
2	NWSWSW 2 10S 14W BEAVERHEAD
	: APRIL 1 TO NOVEMBER 1
Diversion Means: Ditch Name:	HEADGATE TRAIL CREEK DITCH NO. 6

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\*Point of Diversion and Means of Diversion:

$\frac{\text{ID}}{3}$	Govt Lot		<u>Qtr Sec</u> NESESE	<u>Sec</u> 3	<u>Twp</u>	$\underline{\mathbf{Rge}}_{1,4,W}$	<u>County</u> BEAVERHEAD		
-	of Diversion		1 TO NOVEN	-		1400	DEAVENIERD		
	ion Means:								
			TRAIL CREEK DITCH NO. 5						
4			NWSESE	3	105	14W	BEAVERHEAD		
Period	of Diversion	: APRIL	1 TO NOVEN	-					
	ion Means:								
Ditch N	Name:	TRAIL	CREEK DITC	H NO.	4				
5			SESESE	9	10S	14W	BEAVERHEAD		
Period	of Diversion	: APRIL	1 TO NOVEN	IBER 1					
Diversi	ion Means:	HEADO	GATE						
Ditch N	Name:	TRAIL	CREEK DITC	H NO.	3				
6			NWNWSW	16	10S	14W	BEAVERHEAD		
Period	of Diversion	: APRIL	1 TO NOVEN	IBER 1					
Diversi	ion Means:	HEADO	GATE						
Ditch N	Name:	TRAIL	CREEK DITC	H NO.	2				
7		4	NENWNW	20	10S	14W	BEAVERHEAD		
Period	Period of Diversion: APRIL 1 TO NOVEMBER 1								
Diversi	ion Means:	HEADGATE							
Ditch N	lame:	TRAIL	CREEK DITC	H NO.	1				
Period of U	se:	APRIL <sup>•</sup>	1 TO NOVEM	IBER 1					

## \*Place of Use:

ID	Acres Gov	t Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	35.00		SWNW	1	10S	14W	BEAVERHEAD
2	80.00		S2N2	2	10S	14W	BEAVERHEAD
3	68.00		N2SE	2	10S	14W	BEAVERHEAD
4	154.00		SW	2	10S	14W	BEAVERHEAD
5	5.00		S2SENE	3	10S	14W	BEAVERHEAD
6	208.00		S2	3	10S	14W	BEAVERHEAD
7	6.00		S2NENE	9	10S	14W	BEAVERHEAD
8	33.00		SENE	9	10S	14W	BEAVERHEAD
9	4.00		SWSWNE	9	10S	14W	BEAVERHEAD
10	143.00		SE	9	10S	14W	BEAVERHEAD
11	23.00	8	SESW	9	10S	14W	BEAVERHEAD
12	285.00		N2	10	10S	14W	BEAVERHEAD
13	43.00		NWSW	10	10S	14W	BEAVERHEAD
14	6.00		N2SWSW	10	10S	14W	BEAVERHEAD
15	30.00		NWNW	11	10S	14W	BEAVERHEAD
16	3.00		NWSWNW	11	10S	14W	BEAVERHEAD
17	37.00		NWNE	16	10S	14W	BEAVERHEAD
18	103.00		NW	16	10S	14W	BEAVERHEAD
19	10.00		NWSW	16	10S	14W	BEAVERHEAD
20	8.00		E2SENE	17	10S	14W	BEAVERHEAD
21	26.00		NESE	17	10S	14W	BEAVERHEAD

#### \*Place of Use:

ID	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
Total:	1,310.00					

#### 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.

95072-00	95073-00	95085-00	95086-00	95087-00	95088-00	95089-00
95090-00	95091-00	95092-00	95093-00	95098-00	95100-00	95106-00
95107-00	95108-00	95109-00	95110-00	95111-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 07/21/2006.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95108-00 STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	NOVEMBER 1, 1881
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	3.68 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:	1,310.00
Source Name:	TRAIL CREEK
Source Type:	SURFACE WATER
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.
*Point of Diversion and I	Means of Diversion:
<u>ID</u> <u>Govt I</u>	
1	SENESW 2 10S 14W BEAVERHEAD
Period of Diversion Diversion Means:	: APRIL 1 TO NOVEMBER 1 HEADGATE
Ditch Name:	TRAIL CREEK DITCH NO. 7
2	NWSWSW 2 10S 14W BEAVERHEAD
Period of Diversion	: APRIL 1 TO NOVEMBER 1
<b>Diversion Means:</b>	HEADGATE
Ditch Name:	TRAIL CREEK DITCH NO. 6

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\*Point of Diversion and Means of Diversion:

$\frac{\text{ID}}{3}$	<u>Govt 1</u>	Lot	<u>Qtr Sec</u> NESESE	<u>Sec</u> 3	<u>Twp</u>	$\underline{\mathbf{Rge}}_{1,4,W}$	<u>County</u> BEAVERHEAD
-	of Diversion		1 TO NOVEN	-		1400	DEAVENIEAD
	ion Means:						
				H NO.	5		
4			NWSESE	3	105	14W	BEAVERHEAD
Period	of Diversion	: APRIL	1 TO NOVEN	-			
	ion Means:						
Ditch N	Name:	TRAIL	CREEK DITC	H NO.	4		
5			SESESE	9	10S	14W	BEAVERHEAD
Period	of Diversion	: APRIL	1 TO NOVEN	IBER 1			
Diversi	ion Means:	HEADO	GATE				
Ditch N	Name:	TRAIL	CREEK DITC	H NO.	3		
6			NWNWSW	16	10S	14W	BEAVERHEAD
Period	of Diversion	: APRIL	1 TO NOVEN	IBER 1			
Diversi	ion Means:	HEADO	GATE				
Ditch N	Name:	TRAIL	CREEK DITC	H NO.	2		
7		4	NENWNW	20	10S	14W	BEAVERHEAD
Period	of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diversi	ion Means:	HEADO	GATE				
Ditch N	lame:	TRAIL	CREEK DITC	H NO.	1		
Period of U	se:	APRIL <sup>•</sup>	1 TO NOVEM	IBER 1			

## \*Place of Use:

ID	Acres Gov	t Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	35.00		SWNW	1	10S	14W	BEAVERHEAD
2	80.00		S2N2	2	10S	14W	BEAVERHEAD
3	68.00		N2SE	2	10S	14W	BEAVERHEAD
4	154.00		SW	2	10S	14W	BEAVERHEAD
5	5.00		S2SENE	3	10S	14W	BEAVERHEAD
6	208.00		S2	3	10S	14W	BEAVERHEAD
7	6.00		S2NENE	9	10S	14W	BEAVERHEAD
8	33.00		SENE	9	10S	14W	BEAVERHEAD
9	4.00		SWSWNE	9	10S	14W	BEAVERHEAD
10	143.00		SE	9	10S	14W	BEAVERHEAD
11	23.00	8	SESW	9	10S	14W	BEAVERHEAD
12	285.00		N2	10	10S	14W	BEAVERHEAD
13	43.00		NWSW	10	10S	14W	BEAVERHEAD
14	6.00		N2SWSW	10	10S	14W	BEAVERHEAD
15	30.00		NWNW	11	10S	14W	BEAVERHEAD
16	3.00		NWSWNW	11	10S	14W	BEAVERHEAD
17	37.00		NWNE	16	10S	14W	BEAVERHEAD
18	103.00		NW	16	10S	14W	BEAVERHEAD
19	10.00		NWSW	16	10S	14W	BEAVERHEAD
20	8.00		E2SENE	17	10S	14W	BEAVERHEAD
21	26.00		NESE	17	10S	14W	BEAVERHEAD

#### \*Place of Use:

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
Total:	1,310.00					

#### 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.

95072-00	95073-00	95085-00	95086-00	95087-00	95088-00	95089-00
95090-00	95091-00	95092-00	95093-00	95098-00	95100-00	95106-00
95107-00	95108-00	95109-00	95110-00	95111-00		

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.

94816-00 95103-00 95108-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 07/21/2006.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95108-00 Page 4 of 4

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95109-00 STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	SEPTEMBER 1, 1886
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:	1,310.00
Source Name:	TRAIL CREEK
Source Type:	SURFACE WATER
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.
*Point of Diversion and I	Means of Diversion:
ID Govt 1	
1	SENESW 2 10S 14W BEAVERHEAD
	APRIL 1 TO NOVEMBER 1
Diversion Means:	HEADGATE TRAIL CREEK DITCH NO. 7
Ditch Name:	
2 Dominal of Dimonsion	NWSWSW 2 10S 14W BEAVERHEAD A PRIL 1 TO NOVEMBER 1
Diversion Means:	HEADGATE
Ditch Name:	TRAIL CREEK DITCH NO. 6

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\*Point of Diversion and Means of Diversion:

$\frac{\text{ID}}{3}$	<u>Govt 1</u>	Lot	<u>Qtr Sec</u> NESESE	<u>Sec</u> 3	<u>Twp</u>	$\underline{\mathbf{Rge}}_{1,4,W}$	<u>County</u> BEAVERHEAD
-	of Diversion		1 TO NOVEN	-		1400	DEAVENIEAD
	ion Means:						
				H NO.	5		
4			NWSESE	3	105	14W	BEAVERHEAD
Period	of Diversion	: APRIL	1 TO NOVEN	-			
	ion Means:						
Ditch N	Name:	TRAIL	CREEK DITC	H NO.	4		
5			SESESE	9	10S	14W	BEAVERHEAD
Period	of Diversion	: APRIL	1 TO NOVEN	IBER 1			
Diversi	ion Means:	HEADO	GATE				
Ditch N	Name:	TRAIL	CREEK DITC	H NO.	3		
6			NWNWSW	16	10S	14W	BEAVERHEAD
Period	of Diversion	: APRIL	1 TO NOVEN	IBER 1			
Diversi	ion Means:	HEADO	GATE				
Ditch N	Name:	TRAIL	CREEK DITC	H NO.	2		
7		4	NENWNW	20	10S	14W	BEAVERHEAD
Period	of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diversi	ion Means:	HEADO	GATE				
Ditch N	lame:	TRAIL	CREEK DITC	H NO.	1		
Period of U	se:	APRIL <sup>•</sup>	1 TO NOVEM	IBER 1			

## \*Place of Use:

ID	Acres Govt	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	35.00		SWNW	1	10S	14W	BEAVERHEAD
2	80.00		S2N2	2	10S	14W	BEAVERHEAD
3	68.00		N2SE	2	10S	14W	BEAVERHEAD
4	154.00		SW	2	10S	14W	BEAVERHEAD
5	5.00		S2SENE	3	10S	14W	BEAVERHEAD
6	208.00		S2	3	10S	14W	BEAVERHEAD
7	6.00		S2NENE	9	10S	14W	BEAVERHEAD
8	33.00		SENE	9	10S	14W	BEAVERHEAD
9	4.00		SWSWNE	9	10S	14W	BEAVERHEAD
10	143.00		SE	9	10S	14W	BEAVERHEAD
11	23.00	8	SESW	9	10S	14W	BEAVERHEAD
12	285.00		N2	10	10S	14W	BEAVERHEAD
13	43.00		NWSW	10	10S	14W	BEAVERHEAD
14	6.00		N2SWSW	10	10S	14W	BEAVERHEAD
15	30.00		NWNW	11	10S	14W	BEAVERHEAD
16	3.00		NWSWNW	11	10S	14W	BEAVERHEAD
17	37.00		NWNE	16	10S	14W	BEAVERHEAD
18	103.00		NW	16	10S	14W	BEAVERHEAD
19	10.00		NWSW	16	10S	14W	BEAVERHEAD
20	8.00		E2SENE	17	10S	14W	BEAVERHEAD
21	26.00		NESE	17	10S	14W	BEAVERHEAD

#### \*Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
Total:	1,310.00					

#### 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.

95072-00	95073-00	95085-00	95086-00	95087-00	95088-00	95089-00
95090-00	95091-00	95092-00	95093-00	95098-00	95100-00	95106-00
95107-00	95108-00	95109-00	95110-00	95111-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 07/21/2006.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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. 1292 , BEAVERHEAD COUNTY. 41A 95089-00, 41A 95109-00.

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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION **RULES OR BY ORDER OF THE WATER COURT.** 

## **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95110-00 STATEMENT OF CLAIM
	Version: 2 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140
Priority Date:	NOVEMBER 1, 1881
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	
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:	1,310.00
Source Name:	TRAIL CREEK
Source Type:	SURFACE WATER
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.
*Point of Diversion and I	Means of Diversion:
IDGovt1Period of Diversion	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENESW 2 10S 14W BEAVERHEAD a: APRIL 1 TO NOVEMBER 1
Diversion Means:	HEADGATE
<b>Ditch Name:</b>	TRAIL CREEK DITCH NO. 7
2	NWSWSW 2 10S 14W BEAVERHEAD
Period of Diversion Diversion Means:	a: APRIL 1 TO NOVEMBER 1 HEADGATE
Diversion Means: Ditch Name:	TRAIL CREEK DITCH NO. 6

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\*Point of Diversion and Means of Diversion:

$\frac{\text{ID}}{3}$	<u>Govt 1</u>	Lot	<u>Qtr Sec</u> NESESE	<u>Sec</u> 3	<u>Twp</u>	$\underline{\mathbf{Rge}}_{1,4,W}$	<u>County</u> BEAVERHEAD
-	of Diversion		1 TO NOVEN	-		1400	DEAVENIEAD
	ion Means:						
				H NO.	5		
4			NWSESE	3	105	14W	BEAVERHEAD
Period	of Diversion	: APRIL	1 TO NOVEN	-			
	ion Means:						
Ditch N	Name:	TRAIL	CREEK DITC	H NO.	4		
5			SESESE	9	10S	14W	BEAVERHEAD
Period	of Diversion	: APRIL	1 TO NOVEN	IBER 1			
Diversi	ion Means:	HEADO	GATE				
Ditch N	Name:	TRAIL	CREEK DITC	H NO.	3		
6			NWNWSW	16	10S	14W	BEAVERHEAD
Period	of Diversion	: APRIL	1 TO NOVEN	IBER 1			
Diversi	ion Means:	HEADO	GATE				
Ditch N	Name:	TRAIL	CREEK DITC	H NO.	2		
7		4	NENWNW	20	10S	14W	BEAVERHEAD
Period	of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diversi	ion Means:	HEADO	GATE				
Ditch N	lame:	TRAIL	CREEK DITC	H NO.	1		
Period of U	se:	APRIL <sup>·</sup>	1 TO NOVEM	IBER 1			

## \*Place of Use:

<u>ID</u>	Acres Gov	t Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	35.00		SWNW	1	10S	14W	BEAVERHEAD
2	80.00		S2N2	2	10S	14W	BEAVERHEAD
3	68.00		N2SE	2	10S	14W	BEAVERHEAD
4	154.00		SW	2	10S	14W	BEAVERHEAD
5	5.00		S2SENE	3	10S	14W	BEAVERHEAD
6	208.00		S2	3	10S	14W	BEAVERHEAD
7	6.00		S2NENE	9	10S	14W	BEAVERHEAD
8	33.00		SENE	9	10S	14W	BEAVERHEAD
9	4.00		SWSWNE	9	10S	14W	BEAVERHEAD
10	143.00		SE	9	10S	14W	BEAVERHEAD
11	23.00	8	SESW	9	10S	14W	BEAVERHEAD
12	285.00		N2	10	10S	14W	BEAVERHEAD
13	43.00		NWSW	10	10S	14W	BEAVERHEAD
14	6.00		N2SWSW	10	10S	14W	BEAVERHEAD
15	30.00		NWNW	11	10S	14W	BEAVERHEAD
16	3.00		NWSWNW	11	10S	14W	BEAVERHEAD
17	37.00		NWNE	16	10S	14W	BEAVERHEAD
18	103.00		NW	16	10S	14W	BEAVERHEAD
19	10.00		NWSW	16	10S	14W	BEAVERHEAD
20	8.00		E2SENE	17	10S	14W	BEAVERHEAD
21	26.00		NESE	17	10S	14W	BEAVERHEAD

#### \*Place of Use:

ID	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
Total:	1,310.00					

#### 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.

95072-00	95073-00	95085-00	95086-00	95087-00	95088-00	95089-00
95090-00	95091-00	95092-00	95093-00	95098-00	95100-00	95106-00
95107-00	95108-00	95109-00	95110-00	95111-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 06/27/2006.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 07/21/2006.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 TYPE OF IRRIGATION SYSTEM HAS BEEN CLAIMED. THE TYPE OF HISTORICAL IRRIGATION APPEARS TO HAVE BEEN A FLOOD SYSTEM.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	<b>41A 95111-00</b> STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	LEMHI FRONTIER LLC 4800 FALLS OF NEUSE RD, STE 315 RALEIGH, NC 27609 8140					
Priority Date:	SEPTEMBER 1, 1886					
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:	1,310.00					
Source Name:	TRAIL CREEK					
Source Type:	SURFACE WATER					
	THE SOURCE IS A TRIBUTARY OF HORSE PRAIRIE CREEK.					
*Point of Diversion and N	Means of Diversion:					
<u>ID</u> <u>Govt I</u>						
1	SENESW 2 10S 14W BEAVERHEAD					
Diversion Means:	: APRIL 1 TO NOVEMBER 1 HEADGATE					
Diversion Weans. Ditch Name:	TRAIL CREEK DITCH NO. 7					
2	NWSWSW 2 10S 14W BEAVERHEAD					
<b>Period of Diversion</b>	: APRIL 1 TO NOVEMBER 1					
<b>Diversion Means:</b>	HEADGATE					
Ditch Name:	TRAIL CREEK DITCH NO. 6					

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\*Point of Diversion and Means of Diversion:

$\frac{\text{ID}}{3}$	<u>Govt 1</u>	Lot	<u>Qtr Sec</u> NESESE	<u>Sec</u> 3	<u>Twp</u>	$\underline{\mathbf{Rge}}_{1,4,W}$	<u>County</u> BEAVERHEAD
-	of Diversion		1 TO NOVEN	-		1400	DEAVENIEAD
	ion Means:						
				H NO.	5		
4			NWSESE	3	105	14W	BEAVERHEAD
Period	of Diversion	: APRIL	1 TO NOVEN	-			
	ion Means:						
Ditch N	Name:	TRAIL	CREEK DITC	H NO.	4		
5			SESESE	9	10S	14W	BEAVERHEAD
Period	of Diversion	: APRIL	1 TO NOVEN	IBER 1			
Diversi	ion Means:	HEADO	GATE				
Ditch N	Name:	TRAIL	CREEK DITC	H NO.	3		
6			NWNWSW	16	10S	14W	BEAVERHEAD
Period	of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diversi	ion Means:	HEADO	GATE				
Ditch N	Name:	TRAIL	CREEK DITC	H NO.	2		
7		4	NENWNW	20	10S	14W	BEAVERHEAD
Period	of Diversion	: APRIL	1 TO NOVEN	1BER 1			
Diversi	ion Means:	HEADO	GATE				
Ditch N	lame:	TRAIL	CREEK DITC	H NO.	1		
Period of U	se:	APRIL <sup>·</sup>	1 TO NOVEM	IBER 1			

## \*Place of Use:

ID	Acres Gov	t Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	35.00		SWNW	1	10S	14W	BEAVERHEAD
2	80.00		S2N2	2	10S	14W	BEAVERHEAD
3	68.00		N2SE	2	10S	14W	BEAVERHEAD
4	154.00		SW	2	10S	14W	BEAVERHEAD
5	5.00		S2SENE	3	10S	14W	BEAVERHEAD
6	208.00		S2	3	10S	14W	BEAVERHEAD
7	6.00		S2NENE	9	10S	14W	BEAVERHEAD
8	33.00		SENE	9	10S	14W	BEAVERHEAD
9	4.00		SWSWNE	9	10S	14W	BEAVERHEAD
10	143.00		SE	9	10S	14W	BEAVERHEAD
11	23.00	8	SESW	9	10S	14W	BEAVERHEAD
12	285.00		N2	10	10S	14W	BEAVERHEAD
13	43.00		NWSW	10	10S	14W	BEAVERHEAD
14	6.00		N2SWSW	10	10S	14W	BEAVERHEAD
15	30.00		NWNW	11	10S	14W	BEAVERHEAD
16	3.00		NWSWNW	11	10S	14W	BEAVERHEAD
17	37.00		NWNE	16	10S	14W	BEAVERHEAD
18	103.00		NW	16	10S	14W	BEAVERHEAD
19	10.00		NWSW	16	10S	14W	BEAVERHEAD
20	8.00		E2SENE	17	10S	14W	BEAVERHEAD
21	26.00		NESE	17	10S	14W	BEAVERHEAD

#### \*Place of Use:

<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
Total:	1,310.00					

#### 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.

95072-00	95073-00	95085-00	95086-00	95087-00	95088-00	95089-00
95090-00	95091-00	95092-00	95093-00	95098-00	95100-00	95106-00
95107-00	95108-00	95109-00	95110-00	95111-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/27/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 07/21/2006.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 05/24/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

## **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95112-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624						
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624						
Priority Date:	JUNE 1, 1900						
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:	420.00						
Source Name:	DIVIDE CREEK						
Source Type:	SURFACE WATER						
*Point of Diversion and N	Aeans of Diversion:						
<u>ID</u> <u>Govt I</u>							
1 *Danial of Dimonsion	SWNENE 35 11S 14W BEAVERHEAD APRIL 1 TO OCTOBER 31						
Diversion Means:	DIKE						
2	SWNESW 35 11S 14W BEAVERHEAD						
*Period of Diversion Diversion Means:	: APRIL 1 TO OCTOBER 31 DIKE						

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#### \*Point of Diversion and Means of Diversion:

			21101010110				
<u>ID</u>	<u>G</u>	ovt Lot	<u>Qtr Sec</u>	Sec	Twp		<u>County</u>
3			NWSESW	35	11S	14W	BEAVERHEAD
*Per	riod of Dive	rsion: APRIL	1 TO OCTOE	3ER 31			
Div	version Mea	ns: DIKE					
4			NENWNW	2	12S	14W	BEAVERHEAD
*Per	riod of Dive	rsion: APRIL	1 TO OCTOE	3ER 31			
Div	version Mea	ns: DIKE					
Period	of Use:	APRIL	1 TO OCTOB	ER 31			
Place of	f Use:						
ID	<u>Acres</u> G	ovt Lot	<b>Qtr Sec</b>	Sec	<u>Twp</u>	Rge	<b>County</b>
1	60.00		SW	25	11S	14W	BEAVERHEAD
2	80.00		NE	35	11S	14W	BEAVERHEAD
3	110.00		SE	35	11S	14W	BEAVERHEAD
4	70.00		SW	35	11S	14W	BEAVERHEAD
5	100.00		NW	36	11S	14W	BEAVERHEAD
Total:	420.00						

#### 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.

40245-00 95112-00 95114-00

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 03/04/2003.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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 OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON STATE LAND.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON USDI BLM LAND.

USDA AERIAL PHOTOGRAPH NO(S). 979-94 , DATED 09/20/1979 , APPEARS TO INDICATE 355.57 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-14P-80 , DATED 08/09/1955 , APPEARS TO INDICATE 211.66 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95113-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624				
<b>Priority Date:</b>	APRIL 2, 1909				
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 Areas	5 - LOW				
Maximum Acres:	256.00				
Source Name:	HORSE PRAIRIE CREEK				
Source Type:	SURFACE WATER				
Point of Diversion and N	Aeans of Diversion:				
<u>ID</u> <u>Govt I</u> 1 Period of Diversion	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NESWSE 31 11S 13W BEAVERHEAD : APRIL 1 TO OCTOBER 31				
Diversion Means:	HEADGATE				
2	NWSWNW 5 12S 13W BEAVERHEAD				
	: APRIL 1 TO OCTOBER 31				
Diversion Means:					
Period of Use:	APRIL 1 TO OCTOBER 31				

Place	of	Use:
-------	----	------

<u>ID</u>	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	112.00	SW	30	11S	13W	BEAVERHEAD
2	2.00	SWNWNE	31	11S	13W	BEAVERHEAD
3	86.00	NW	31	11S	13W	BEAVERHEAD
4	29.00	W2SE	31	11S	13W	BEAVERHEAD
5	27.00	NESW	31	11S	13W	BEAVERHEAD
Total:	256.00					

#### **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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95113-00 Page 3 of 3

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

## **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95114-00 STATEMENT OF CLAIM		
	Version: 1 ORIGINAL RIGHT		
	Status: ACTIVE		
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624		
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624		
Priority Date:	APRIL 2, 1909		
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:	420.00		
Source Name:	DIVIDE CREEK		
Source Type:	SURFACE WATER		
*Point of Diversion and N	Means of Diversion:		
<u>ID</u> <u>Govt I</u>			
1 *Dowing of Diversion	SWNENE 35 11S 14W BEAVERHEAD : APRIL 1 TO OCTOBER 31		
Diversion Means:	DIKE		
2	SWNESW 35 11S 14W BEAVERHEAD		
*Period of Diversion	: APRIL 1 TO OCTOBER 31		
<b>Diversion Means:</b>	DIKE		

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#### \*Point of Diversion and Means of Diversion:

<u>ID</u>	Gov	Govt Lot		Sec	Twp		County
3			NWSESW	35	11S	14W	BEAVERHEAD
*Pe	riod of Diversi	on: APRIL	. 1 TO OCTOE	BER 31			
Di	version Means	: DIKE					
4			NENWNW	2	12S	14W	BEAVERHEAD
*Pe	riod of Diversi	on: APRIL	1 TO OCTOE	BER 31			
Di	version Means	: DIKE					
Period	of Use:	APRIL	1 TO OCTOB	ER 31			
Place of	f Use:						
ID	<u>Acres</u> Gov	<u>rt Lot</u>	<b>Qtr Sec</b>	<u>Sec</u>	Twp	Rge	<b>County</b>
1	60.00		SW	25	11S	14W	BEAVERHEAD
2	80.00		NE	35	11S	14W	BEAVERHEAD
3	110.00		SE	35	11S	14W	BEAVERHEAD
4	70.00		SW	35	11S	14W	BEAVERHEAD
5	100.00		NW	36	11S	14W	BEAVERHEAD
Total:	420.00						

#### 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.

40245-00 95112-00 95114-00

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 03/04/2003.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

# THE FOLLOWING 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 OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON STATE LAND.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON USDI BLM LAND.

USDA AERIAL PHOTOGRAPH NO(S). 979-94 , DATED 9/20/1979 , APPEARS TO INDICATE 355.57 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-14P-80 , DATED 8/9/1955 , APPEARS TO INDICATE 212.08 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95115-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
<b>Priority Date:</b>	OCTOBER 10, 1903
Type of Historical Right	: DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	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 Areas	5 - LOW
Maximum Acres:	256.00
Source Name:	HORSE PRAIRIE CREEK
Source Type:	SURFACE WATER
Point of Diversion and N	Aeans of Diversion:
ID Govt I	
1	NESWSE 31 11S 13W BEAVERHEAD
Period of Diversion Diversion Means:	: APRIL 1 TO OCTOBER 31 HEADGATE
2	NWSWNW 5 12S 13W BEAVERHEAD
_	: APRIL 1 TO OCTOBER 31
<b>Diversion Means:</b>	HEADGATE
Period of Use:	APRIL 1 TO OCTOBER 31

<u>ID</u>	<u>Acres Govt Lot</u>	Qtr Sec	<u>Sec</u>	Twp	Rge	<u>County</u>
1	112.00	SW	30	11S	13W	BEAVERHEAD
2	2.00	SWNWNE	31	11S	13W	BEAVERHEAD
3	86.00	NW	31	11S	13W	BEAVERHEAD
4	29.00	W2SE	31	11S	13W	BEAVERHEAD
5	27.00	NESW	31	11S	13W	BEAVERHEAD
Total:	256.00					

#### **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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95115-00 Page 3 of 3

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

## **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95116-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
<b>Priority Date:</b>	MAY 15, 1907			
Type of Historical Right	DECREED			
Purpose(use):	IRRIGATION			
Irrigation Type:	FLOOD			
Flow Rate:	3.35 CFS			
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.			
Climatic Areas	5 - LOW			
Maximum Acres:	256.00			
Source Name:	HORSE PRAIRIE CREEK			
Source Type:	SURFACE WATER			
Point of Diversion and M	Aeans of Diversion:			
ID Govt I				
1	NESWSE 31 11S 13W BEAVERHEAD			
Diversion Means:	: APRIL 1 TO OCTOBER 31 HEADGATE			
2	NWSWNW 5 12S 13W BEAVERHEAD			
	: APRIL 1 TO OCTOBER 31			
<b>Diversion Means:</b>	HEADGATE			
Period of Use:	APRIL 1 TO OCTOBER 31			

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	112.00	SW	30	11S	13W	BEAVERHEAD
2	2.00	SWNWNE	31	11S	13W	BEAVERHEAD
3	86.00	NW	31	11S	13W	BEAVERHEAD
4	29.00	W2SE	31	11S	13W	BEAVERHEAD
5	27.00	NESW	31	11S	13W	BEAVERHEAD
Total:	256.00					

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

MAY 9, 2013 41A 95116-00 Page 3 of 3

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

## **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95117-00 STATEMENT OF CLAIM		
	Version: 1 ORIGINAL RIGHT		
	Status: ACTIVE		
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624		
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624		
Priority Date:	MAY 1, 1901		
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:	794.00		
*Source Name:	MAIDEN CREEK		
Source Type:	SURFACE WATER		
*Source Name:	MAIDEN CREEK, SOUTH FORK		
Source Type:	SURFACE WATER		
Point of Diversion and Means of Diversion:			
<u>ID</u> <u>Govt I</u> 1 Source Name:	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENWSW 20 11S 13W BEAVERHEAD MAIDEN CREEK		
	APRIL 1 TO OCTOBER 31 HEADGATE		

MAY 9, 2013 41A 95117-00 Page 2 of 4

**Point of Diversion and Means of Diversion:** 

ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
2		NWSESW	20	11S	13W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	1 TO OCTOE	3ER 31			
<b>Diversion</b> M	eans: HEAD	GATE				
3		SWSESW	20	11S	13W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
Diversion M	eans: HEAD	GATE				
4		NESESW	28	11S	13W	BEAVERHEAD
*Source Name	e: MAIDE	EN CREEK, S	OUTH F	ORK		
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
Diversion M	eans: HEAD	HEADGATE				
5		NENWNE	29	11S	13W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
Diversion M	eans: HEAD	GATE				
6		SENESE	13	11S	14W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
<b>Diversion</b> M	eans: HEAD	GATE				
Period of Use:	APRIL	1 TO OCTOB	ER 31			

ID	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	45.00	S2SW	18	11S	13W	BEAVERHEAD
2	268.00	N2	19	11S	13W	BEAVERHEAD
3	89.00	N2S2	19	11S	13W	BEAVERHEAD
4	15.00	SWNW	20	11S	13W	BEAVERHEAD
5	36.00	NWSW	20	11S	13W	BEAVERHEAD
6	35.00	S2SW	20	11S	13W	BEAVERHEAD
7	20.00	SENE	29	11S	13W	BEAVERHEAD
8	6.00	N2NENW	29	11S	13W	BEAVERHEAD
9	112.00	SE	13	11S	14W	BEAVERHEAD
10	53.00	E2SW	13	11S	14W	BEAVERHEAD
11	106.00	NE	24	11S	14W	BEAVERHEAD
12	1.00	NENENW	24	11S	14W	BEAVERHEAD
13	8.00	N2NESE	24	11S	14W	BEAVERHEAD
Total:	794.00					

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THIS CLAIM APPEARS TO DIVERT WATER FROM TWO SEPARATE SOURCES. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

MAY 9, 2013 41A 95117-00 Page 4 of 4

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

## **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95118-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
Priority Date:	MAY 1, 1906			
Type of Historical Right	DECREED			
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:	794.00			
*Source Name:	MAIDEN CREEK			
Source Type:	SURFACE WATER			
*Source Name:	MAIDEN CREEK, SOUTH FORK			
Source Type:	SURFACE WATER			
Point of Diversion and M	Point of Diversion and Means of Diversion:			
ID Govt I	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENWSW 20 11S 13W BEAVERHEAD			
Source Name:	MAIDEN CREEK			
Period of Diversion Diversion Means:	: APRIL 1 TO OCTOBER 31 HEADGATE			
Diversion means.				

MAY 9, 2013 41A 95118-00 Page 2 of 4

**Point of Diversion and Means of Diversion:** 

ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
2		NWSESW	20	11S	13W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	1 TO OCTOE	3ER 31			
<b>Diversion</b> M	eans: HEAD	GATE				
3		SWSESW	20	11S	13W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
Diversion M	eans: HEAD	GATE				
4		NESESW	28	11S	13W	BEAVERHEAD
*Source Name	e: MAIDE	EN CREEK, S	OUTH F	ORK		
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
Diversion M	eans: HEAD	HEADGATE				
5		NENWNE	29	11S	13W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
Diversion M	eans: HEAD	GATE				
6		SENESE	13	11S	14W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
<b>Diversion</b> M	eans: HEAD	GATE				
Period of Use:	APRIL	1 TO OCTOB	ER 31			

ID	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	45.00	S2SW	18	11S	13W	BEAVERHEAD
2	268.00	N2	19	11S	13W	BEAVERHEAD
3	89.00	N2S2	19	11S	13W	BEAVERHEAD
4	15.00	SWNW	20	11S	13W	BEAVERHEAD
5	36.00	NWSW	20	11S	13W	BEAVERHEAD
6	35.00	S2SW	20	11S	13W	BEAVERHEAD
7	20.00	SENE	29	11S	13W	BEAVERHEAD
8	6.00	N2NENW	29	11S	13W	BEAVERHEAD
9	112.00	SE	13	11S	14W	BEAVERHEAD
10	53.00	E2SW	13	11S	14W	BEAVERHEAD
11	106.00	NE	24	11S	14W	BEAVERHEAD
12	1.00	NENENW	24	11S	14W	BEAVERHEAD
13	8.00	N2NESE	24	11S	14W	BEAVERHEAD
Total:	794.00					

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, POINT OF DIVERSION, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THIS CLAIM APPEARS TO DIVERT WATER FROM TWO SEPARATE SOURCES. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

MAY 9, 2013 41A 95118-00 Page 4 of 4

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

## **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95119-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
Priority Date:	MAY 1, 1901
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:	794.00
*Source Name: Source Type:	MAIDEN CREEK SURFACE WATER
*Source Name: Source Type:	MAIDEN CREEK, SOUTH FORK SURFACE WATER
Point of Diversion and M	Means of Diversion:
ID     Govt I       1     Source Name:       Period of Diversion	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENWSW 20 11S 13W BEAVERHEAD MAIDEN CREEK : APRIL 1 TO OCTOBER 31
<b>Diversion Means:</b>	HEADGATE

MAY 9, 2013 41A 95119-00 Page 2 of 4

**Point of Diversion and Means of Diversion:** 

	Fovt Lot	<u>Qtr Sec</u>	Sec	Twp		
2		NWSESW	20	11S	13W	BEAVERHEAD
Source Name:	MAIDEN	N CREEK				
Period of Dive	rsion: APRIL 1	TO OCTOB	BER 31			
<b>Diversion Mea</b>	ns: HEADG	ATE				
3		SWSESW	20	11S	13W	BEAVERHEAD
Source Name:	MAIDEN	<b>V CREEK</b>				
Period of Dive	rsion: APRIL 1	TO OCTOB	BER 31			
<b>Diversion Mea</b>	ns: HEADG	ATE				
4		NESESW	28	11S	13W	BEAVERHEAD
*Source Name:	MAIDEN	V CREEK, SO	OUTH F	ORK		
Period of Dive	rsion: APRIL 1	TO OCTOB	BER 31			
<b>Diversion Mea</b>	ns: HEADG	ATE				
5		NENWNE	29	11S	13W	BEAVERHEAD
Source Name:	MAIDEN	N CREEK				
Period of Dive	rsion: APRIL 1	TO OCTOB	BER 31			
<b>Diversion Mea</b>	ns: HEADG	ATE				
6		SENESE	13	11S	14W	BEAVERHEAD
Source Name:	MAIDEN	N CREEK				
Period of Dive	rsion: APRIL 1	TO OCTOB	BER 31			
<b>Diversion Mea</b>	ns: HEADG	ATE				
Period of Use:	APRIL 1	то остов	ER 31			

ID	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	45.00	S2SW	18	11S	13W	BEAVERHEAD
2	268.00	N2	19	11S	13W	BEAVERHEAD
3	89.00	N2S2	19	11S	13W	BEAVERHEAD
4	15.00	SWNW	20	11S	13W	BEAVERHEAD
5	36.00	NWSW	20	11S	13W	BEAVERHEAD
6	35.00	S2SW	20	11S	13W	BEAVERHEAD
7	20.00	SENE	29	11S	13W	BEAVERHEAD
8	6.00	N2NENW	29	11S	13W	BEAVERHEAD
9	112.00	SE	13	11S	14W	BEAVERHEAD
10	53.00	E2SW	13	11S	14W	BEAVERHEAD
11	106.00	NE	24	11S	14W	BEAVERHEAD
12	1.00	NENENW	24	11S	14W	BEAVERHEAD
13	8.00	N2NESE	24	11S	14W	BEAVERHEAD
Total:	794.00					

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, POINT OF DIVERSION, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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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MAY 9, 2013 41A 95119-00 Page 4 of 4

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	<b>41A 95120-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
Priority Date:	MAY 1, 1902
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:	794.00
*Source Name:	MAIDEN CREEK
Source Type:	SURFACE WATER
*Source Name:	MAIDEN CREEK, SOUTH FORK
Source Type:	SURFACE WATER
Point of Diversion and I	Means of Diversion:
ID Govt I	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENWSW 20 11S 13W BEAVERHEAD
Source Name:	MAIDEN CREEK
Period of Diversion Diversion Means:	: APRIL 1 TO OCTOBER 31 HEADGATE

MAY 9, 2013 41A 95120-00 Page 2 of 4

**Point of Diversion and Means of Diversion:** 

ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
2		NWSESW	20	11S	13W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	1 TO OCTOE	3ER 31			
<b>Diversion</b> M	eans: HEAD	GATE				
3		SWSESW	20	11S	13W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
<b>Diversion</b> M	eans: HEAD	GATE				
4		NESESW	28	11S	13W	BEAVERHEAD
*Source Name	e: MAIDE	EN CREEK, S	OUTH F	ORK		
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
<b>Diversion</b> M	eans: HEAD	GATE				
5		NENWNE	29	11S	13W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
<b>Diversion</b> M	eans: HEAD	GATE				
6		SENESE	13	11S	14W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
<b>Diversion</b> M	eans: HEAD	GATE				
Period of Use:	APRIL	1 TO OCTOB	ER 31			

ID	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	45.00	S2SW	18	11S	13W	BEAVERHEAD
2	268.00	N2	19	11S	13W	BEAVERHEAD
3	89.00	N2S2	19	11S	13W	BEAVERHEAD
4	15.00	SWNW	20	11S	13W	BEAVERHEAD
5	36.00	NWSW	20	11S	13W	BEAVERHEAD
6	35.00	S2SW	20	11S	13W	BEAVERHEAD
7	20.00	SENE	29	11S	13W	BEAVERHEAD
8	6.00	N2NENW	29	11S	13W	BEAVERHEAD
9	112.00	SE	13	11S	14W	BEAVERHEAD
10	53.00	E2SW	13	11S	14W	BEAVERHEAD
11	106.00	NE	24	11S	14W	BEAVERHEAD
12	1.00	NENENW	24	11S	14W	BEAVERHEAD
13	8.00	N2NESE	24	11S	14W	BEAVERHEAD
Total:	794.00					

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, POINT OF DIVERSION, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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MAY 9, 2013 41A 95120-00 Page 4 of 4

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

## **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95121-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
Priority Date:	MAY 1, 1906
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:	794.00
*Source Name:	MAIDEN CREEK
Source Type:	SURFACE WATER
*Source Name:	MAIDEN CREEK, SOUTH FORK
Source Type:	SURFACE WATER
Point of Diversion and N	Means of Diversion:
ID Govt I	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENWSW 20 11S 13W BEAVERHEAD
Source Name:	MAIDEN CREEK
Period of Diversion Diversion Means:	: APRIL 1 TO OCTOBER 31 HEADGATE

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**Point of Diversion and Means of Diversion:** 

ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
2		NWSESW	20	11S	13W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	1 TO OCTOE	3ER 31			
<b>Diversion</b> M	eans: HEAD	GATE				
3		SWSESW	20	11S	13W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
<b>Diversion</b> M	eans: HEAD	GATE				
4		NESESW	28	11S	13W	BEAVERHEAD
*Source Name	e: MAIDE	EN CREEK, S	OUTH F	ORK		
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
<b>Diversion</b> M	eans: HEAD	GATE				
5		NENWNE	29	11S	13W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
<b>Diversion</b> M	eans: HEAD	GATE				
6		SENESE	13	11S	14W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
<b>Diversion</b> M	eans: HEAD	GATE				
Period of Use:	APRIL	1 TO OCTOB	ER 31			

ID	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	45.00	S2SW	18	11S	13W	BEAVERHEAD
2	268.00	N2	19	11S	13W	BEAVERHEAD
3	89.00	N2S2	19	11S	13W	BEAVERHEAD
4	15.00	SWNW	20	11S	13W	BEAVERHEAD
5	36.00	NWSW	20	11S	13W	BEAVERHEAD
6	35.00	S2SW	20	11S	13W	BEAVERHEAD
7	20.00	SENE	29	11S	13W	BEAVERHEAD
8	6.00	N2NENW	29	11S	13W	BEAVERHEAD
9	112.00	SE	13	11S	14W	BEAVERHEAD
10	53.00	E2SW	13	11S	14W	BEAVERHEAD
11	106.00	NE	24	11S	14W	BEAVERHEAD
12	1.00	NENENW	24	11S	14W	BEAVERHEAD
13	8.00	N2NESE	24	11S	14W	BEAVERHEAD
Total:	794.00					

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, POINT OF DIVERSION, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THIS CLAIM APPEARS TO DIVERT WATER FROM TWO SEPARATE SOURCES. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

MAY 9, 2013 41A 95121-00 Page 4 of 4

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

## **OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE** DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95122-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
Priority Date:	MAY 1, 1901
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:	794.00
*Source Name:	MAIDEN CREEK SURFACE WATER
Source Type:	
*Source Name: Source Type:	MAIDEN CREEK, SOUTH FORK SURFACE WATER
Point of Diversion and N	Means of Diversion:
<u>ID</u> <u>Govt I</u> 1 Source Name:	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENWSW 20 11S 13W BEAVERHEAD MAIDEN CREEK
	: APRIL 1 TO OCTOBER 31 HEADGATE

MAY 9, 2013 41A 95122-00 Page 2 of 4

**Point of Diversion and Means of Diversion:** 

	Fovt Lot	<u>Qtr Sec</u>	Sec	Twp		
2		NWSESW	20	11S	13W	BEAVERHEAD
Source Name:	MAIDEN	N CREEK				
Period of Dive	rsion: APRIL 1	TO OCTOB	BER 31			
<b>Diversion Mea</b>	ns: HEADG	ATE				
3		SWSESW	20	11S	13W	BEAVERHEAD
Source Name:	MAIDEN	<b>V CREEK</b>				
Period of Dive	rsion: APRIL 1	TO OCTOB	BER 31			
<b>Diversion Mea</b>	ns: HEADG	ATE				
4		NESESW	28	11S	13W	BEAVERHEAD
*Source Name:	MAIDEN	V CREEK, SO	OUTH F	ORK		
Period of Dive	rsion: APRIL 1	TO OCTOB	BER 31			
<b>Diversion Mea</b>	ns: HEADG	ATE				
5		NENWNE	29	11S	13W	BEAVERHEAD
Source Name:	MAIDEN	N CREEK				
Period of Dive	rsion: APRIL 1	TO OCTOB	BER 31			
<b>Diversion Mea</b>	ns: HEADG	ATE				
6		SENESE	13	11S	14W	BEAVERHEAD
Source Name:	MAIDEN	N CREEK				
Period of Dive	rsion: APRIL 1	TO OCTOB	BER 31			
<b>Diversion Mea</b>	ns: HEADG	ATE				
Period of Use:	APRIL 1	то остов	ER 31			

ID	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1	45.00	S2SW	18	11S	13W	BEAVERHEAD
2	268.00	N2	19	11S	13W	BEAVERHEAD
3	89.00	N2S2	19	11S	13W	BEAVERHEAD
4	15.00	SWNW	20	11S	13W	BEAVERHEAD
5	36.00	NWSW	20	11S	13W	BEAVERHEAD
6	35.00	S2SW	20	11S	13W	BEAVERHEAD
7	20.00	SENE	29	11S	13W	BEAVERHEAD
8	6.00	N2NENW	29	11S	13W	BEAVERHEAD
9	112.00	SE	13	11S	14W	BEAVERHEAD
10	53.00	E2SW	13	11S	14W	BEAVERHEAD
11	106.00	NE	24	11S	14W	BEAVERHEAD
12	1.00	NENENW	24	11S	14W	BEAVERHEAD
13	8.00	N2NESE	24	11S	14W	BEAVERHEAD
Total:	794.00					

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, POINT OF DIVERSION, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THIS CLAIM APPEARS TO DIVERT WATER FROM TWO SEPARATE SOURCES. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

MAY 9, 2013 41A 95122-00 Page 4 of 4

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Version:1 ORIGINAL RIGHT Status:Status:ACTIVEOwners:CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624Priority Date:MAY 1, 1901Type of Historical Right:DECREEDPurpose(use):IRRIGATION FLOODIrrigation TypeFLOODFlow Rate:2.88 CFS*Volume:THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE
Owners:CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624Priority Date:MAY 1, 1901Type of Historical Right:DECREEDPurpose(use):IRRIGATION IRRIGATION 2.88 CFSFlow Rate:2.88 CFS
6000 MT HWY 324 DILLON, MT 59725 9624ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624Priority Date:MAY 1, 1901Type of Historical Right:DECREEDPurpose(use):IRRIGATIONIrrigation Type:FLOODFlow Rate:2.88 CFS
6000 MT HWY 324 DILLON, MT 59725 9624Priority Date:MAY 1, 1901Type of Historical Right: DECREEDPurpose(use):IRRIGATIONIrrigation Type:FLOODFlow Rate:2.88 CFS
Type of Historical Right: DECREED         Purpose(use):       IRRIGATION         Irrigation Type:       FLOOD         Flow Rate:       2.88 CFS
Purpose(use):IRRIGATIONIrrigation Type:FLOODFlow Rate:2.88 CFS
Intrigation Type:FLOODFlow Rate:2.88 CFS
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: 794.00
*Source Name: MAIDEN CREEK
Source Type: SURFACE WATER
*Source Name: MAIDEN CREEK, SOUTH FORK
Source Type: SURFACE WATER
Point of Diversion and Means of Diversion:
IDGovt LotQtr SecSecTwpRgeCounty1SENWSW2011S13WBEAVERHEAD
Source Name: MAIDEN CREEK
Period of Diversion: APRIL 1 TO OCTOBER 31
Diversion Means: HEADGATE

MAY 9, 2013 41A 95123-00 Page 2 of 4

**Point of Diversion and Means of Diversion:** 

ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
2		NWSESW	20	11S	13W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	1 TO OCTOE	3ER 31			
<b>Diversion</b> M	eans: HEAD	GATE				
3		SWSESW	20	11S	13W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
Diversion M	eans: HEAD	GATE				
4		NESESW	28	11S	13W	BEAVERHEAD
*Source Name	e: MAIDE	MAIDEN CREEK, SOUTH FORK				
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
Diversion M	eans: HEAD	GATE				
5		NENWNE	29	11S	13W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
Diversion M	eans: HEAD	GATE				
6		SENESE	13	11S	14W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
<b>Diversion</b> M	eans: HEAD	GATE				
Period of Use:	APRIL	1 TO OCTOB	ER 31			

ID	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1	45.00	S2SW	18	11S	13W	BEAVERHEAD
2	268.00	N2	19	11S	13W	BEAVERHEAD
3	89.00	N2S2	19	11S	13W	BEAVERHEAD
4	15.00	SWNW	20	11S	13W	BEAVERHEAD
5	36.00	NWSW	20	11S	13W	BEAVERHEAD
6	35.00	S2SW	20	11S	13W	BEAVERHEAD
7	20.00	SENE	29	11S	13W	BEAVERHEAD
8	6.00	N2NENW	29	11S	13W	BEAVERHEAD
9	112.00	SE	13	11S	14W	BEAVERHEAD
10	53.00	E2SW	13	11S	14W	BEAVERHEAD
11	106.00	NE	24	11S	14W	BEAVERHEAD
12	1.00	NENENW	24	11S	14W	BEAVERHEAD
13	8.00	N2NESE	24	11S	14W	BEAVERHEAD
Total:	794.00					

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, POINT OF DIVERSION, MAXIMUM ACRES.

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MAY 9, 2013 41A 95123-00 Page 4 of 4

# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95124-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
Priority Date:	MAY 1, 1901
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:	794.00
*Source Name:	MAIDEN CREEK
Source Type:	SURFACE WATER
*Source Name:	MAIDEN CREEK, SOUTH FORK
Source Type:	SURFACE WATER
Point of Diversion and M	Means of Diversion:
<u>ID</u> <u>Govt I</u>	Lot <u>Qtr Sec Sec Twp Rge County</u> SENWSW 20 11S 13W BEAVERHEAD
Source Name:	MAIDEN CREEK
Period of Diversion	: APRIL 1 TO OCTOBER 31
<b>Diversion Means:</b>	HEADGATE

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**Point of Diversion and Means of Diversion:** 

ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
2		NWSESW	20	11S	13W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	1 TO OCTOE	3ER 31			
<b>Diversion</b> M	eans: HEAD	GATE				
3		SWSESW	20	11S	13W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
Diversion M	eans: HEAD	GATE				
4		NESESW	28	11S	13W	BEAVERHEAD
*Source Name	e: MAIDE	MAIDEN CREEK, SOUTH FORK				
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
Diversion M	eans: HEAD	GATE				
5		NENWNE	29	11S	13W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
Diversion M	eans: HEAD	GATE				
6		SENESE	13	11S	14W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
<b>Diversion</b> M	eans: HEAD	GATE				
Period of Use:	APRIL	1 TO OCTOB	ER 31			

ID	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	45.00	S2SW	18	11S	13W	BEAVERHEAD
2	268.00	N2	19	11S	13W	BEAVERHEAD
3	89.00	N2S2	19	11S	13W	BEAVERHEAD
4	15.00	SWNW	20	11S	13W	BEAVERHEAD
5	36.00	NWSW	20	11S	13W	BEAVERHEAD
6	35.00	S2SW	20	11S	13W	BEAVERHEAD
7	20.00	SENE	29	11S	13W	BEAVERHEAD
8	6.00	N2NENW	29	11S	13W	BEAVERHEAD
9	112.00	SE	13	11S	14W	BEAVERHEAD
10	53.00	E2SW	13	11S	14W	BEAVERHEAD
11	106.00	NE	24	11S	14W	BEAVERHEAD
12	1.00	NENENW	24	11S	14W	BEAVERHEAD
13	8.00	N2NESE	24	11S	14W	BEAVERHEAD
Total:	794.00					

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, POINT OF DIVERSION, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THIS CLAIM APPEARS TO DIVERT WATER FROM TWO SEPARATE SOURCES. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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# PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	<b>41A 95125-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
Priority Date:	OCTOBER 10, 1903
Type of Historical Right	DECREED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
Flow Rate:	1.70 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:	794.00
*Source Name:	MAIDEN CREEK
Source Type:	SURFACE WATER
*Source Name:	MAIDEN CREEK, SOUTH FORK
Source Type:	SURFACE WATER
Point of Diversion and N	Aeans of Diversion:
IDGovt I1Source Name:Period of DiversionDiversion Means:	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENWSW 20 11S 13W BEAVERHEAD MAIDEN CREEK : APRIL 1 TO OCTOBER 31 HEADGATE

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**Point of Diversion and Means of Diversion:** 

ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>		
2		NWSESW	20	11S	13W	BEAVERHEAD		
Source Name	e: MAIDE	EN CREEK						
Period of Diversion: APRIL 1 TO OCTOBER 31								
<b>Diversion</b> M	eans: HEAD	GATE						
3		SWSESW	20	11S	13W	BEAVERHEAD		
Source Name	e: MAIDE	EN CREEK						
Period of Diversion: APRIL 1 TO OCTOBER 31								
<b>Diversion</b> M	eans: HEAD	GATE						
4		NESESW	28	11S	13W	BEAVERHEAD		
*Source Name	e: MAIDE	MAIDEN CREEK, SOUTH FORK						
Period of Diversion: APRIL 1 TO OCTOBER 31								
Diversion M	eans: HEAD	HEADGATE						
5		NENWNE	29	11S	13W	BEAVERHEAD		
Source Name	e: MAIDE	EN CREEK						
Period of Div	Period of Diversion: APRIL 1 TO OCTOBER 31							
Diversion M	eans: HEAD	HEADGATE						
6		SENESE	13	11S	14W	BEAVERHEAD		
Source Name	e: MAIDE	EN CREEK						
Period of Diversion: APRIL 1 TO OCTOBER 31								
<b>Diversion</b> M	eans: HEAD	HEADGATE						
Period of Use:	APRIL 1 TO OCTOBER 31							

ID	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	45.00	S2SW	18	11S	13W	BEAVERHEAD
2	268.00	N2	19	11S	13W	BEAVERHEAD
3	89.00	N2S2	19	11S	13W	BEAVERHEAD
4	15.00	SWNW	20	11S	13W	BEAVERHEAD
5	36.00	NWSW	20	11S	13W	BEAVERHEAD
6	35.00	S2SW	20	11S	13W	BEAVERHEAD
7	20.00	SENE	29	11S	13W	BEAVERHEAD
8	6.00	N2NENW	29	11S	13W	BEAVERHEAD
9	112.00	SE	13	11S	14W	BEAVERHEAD
10	53.00	E2SW	13	11S	14W	BEAVERHEAD
11	106.00	NE	24	11S	14W	BEAVERHEAD
12	1.00	NENENW	24	11S	14W	BEAVERHEAD
13	8.00	N2NESE	24	11S	14W	BEAVERHEAD
Total:	794.00					

#### 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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, POINT OF DIVERSION, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THIS CLAIM APPEARS TO DIVERT WATER FROM TWO SEPARATE SOURCES. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

MAY 9, 2013 41A 95125-00 Page 4 of 4

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	41A 95126-00 STATEMENT OF CLAIM Version: 2 ORIGINAL RIGHT Status: ACTIVE		
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624		
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624		
Priority Date:	MAY 28, 1906		
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:	15.00		
*Source Name: Source Type:	UNNAMED TRIBUTARY OF MAIDEN CREEK SURFACE WATER ALSO KNOWN AS DRY GULCH CREEK.		
Point of Diversion and I	Means of Diversion:		
ID Govt I	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NESWNE 29 11S 13W BEAVERHEAD		
Period of Diversion Diversion Means:	: APRIL 1 TO OCTOBER 31 HEADGATE		
Period of Use:	APRIL 1 TO OCTOBER 31		

#### Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
1	13.00	NWNE	29	11S	13W	BEAVERHEAD
2	1.00	N2SWNE	29	11S	13W	BEAVERHEAD
3	1.00	E2NENW	29	11S	13W	BEAVERHEAD
Total:	15.00					

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/31/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 02/20/2003.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 30.00 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	41A 95127-00 STATEMENT OF CLAIM			
	Version: 1 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
Priority Date:	MAY 1, 1906			
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:	794.00			
*Source Name:	MAIDEN CREEK			
Source Type:	SURFACE WATER			
*Source Name:	MAIDEN CREEK, SOUTH FORK			
Source Type:	SURFACE WATER			
Point of Diversion and M	Point of Diversion and Means of Diversion:			
$\frac{\mathbf{ID}}{1} \qquad \qquad \mathbf{Govt I}$	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENWSW 20 11S 13W BEAVERHEAD			
Source Name:	MAIDEN CREEK			
	: APRIL 1 TO OCTOBER 31			
<b>Diversion Means:</b>	HEADGATE			

MAY 9, 2013 41A 95127-00 Page 2 of 4

**Point of Diversion and Means of Diversion:** 

<u>ID</u> <u>Go</u>	ovt Lot Qtr S	Sec <u>Sec</u>	Twp	Rge	<b>County</b>	
2	NWSES	W 20	11S	13W	BEAVERHEAD	
Source Name:	MAIDEN CREE	<				
Period of Divers	sion: APRIL 1 TO OC	TOBER 31	1			
<b>Diversion Mean</b>	s: HEADGATE					
3	SWSES	SW 20	11S	13W	BEAVERHEAD	
Source Name:	MAIDEN CREE	<				
Period of Divers	sion: APRIL 1 TO OC	TOBER 31	1			
<b>Diversion Mean</b>	s: HEADGATE					
4	NESES	SW 28	11S	13W	BEAVERHEAD	
*Source Name:	MAIDEN CREE	MAIDEN CREEK, SOUTH FORK				
Period of Divers	sion: APRIL 1 TO OC	TOBER 31	1			
<b>Diversion Mean</b>	s: HEADGATE					
5	NENW	NE 29	11S	13W	BEAVERHEAD	
Source Name:	MAIDEN CREE	<				
Period of Divers	sion: APRIL 1 TO OC	TOBER 31	1			
<b>Diversion Mean</b>	s: HEADGATE					
6	SENE	SE 13	11S	14W	BEAVERHEAD	
Source Name:	MAIDEN CREE	<				
Period of Divers	sion: APRIL 1 TO OC	TOBER 31	1			
<b>Diversion Mean</b>	s: HEADGATE					
Period of Use:	APRIL 1 TO OC	TOBER 31				

Place of Use:

ID	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	45.00	S2SW	18	11S	13W	BEAVERHEAD
2	268.00	N2	19	11S	13W	BEAVERHEAD
3	89.00	N2S2	19	11S	13W	BEAVERHEAD
4	15.00	SWNW	20	11S	13W	BEAVERHEAD
5	36.00	NWSW	20	11S	13W	BEAVERHEAD
6	35.00	S2SW	20	11S	13W	BEAVERHEAD
7	20.00	SENE	29	11S	13W	BEAVERHEAD
8	6.00	N2NENW	29	11S	13W	BEAVERHEAD
9	112.00	SE	13	11S	14W	BEAVERHEAD
10	53.00	E2SW	13	11S	14W	BEAVERHEAD
11	106.00	NE	24	11S	14W	BEAVERHEAD
12	1.00	NENENW	24	11S	14W	BEAVERHEAD
13	8.00	N2NESE	24	11S	14W	BEAVERHEAD
Total:	794.00					

#### 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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, POINT OF DIVERSION, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THIS CLAIM APPEARS TO DIVERT WATER FROM TWO SEPARATE SOURCES. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

MAY 9, 2013 41A 95127-00 Page 4 of 4

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	41A 95128-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624
Priority Date:	MAY 1, 1901
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:	794.00
*Source Name:	MAIDEN CREEK
Source Type:	SURFACE WATER
*Source Name:	MAIDEN CREEK, SOUTH FORK
Source Type:	SURFACE WATER
Point of Diversion and M	Means of Diversion:
$\frac{\mathbf{ID}}{1} \qquad \qquad \frac{\mathbf{Govt I}}{\mathbf{I}}$	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENWSW 20 11S 13W BEAVERHEAD
Source Name:	MAIDEN CREEK
Period of Diversion Diversion Means:	: APRIL 1 TO OCTOBER 31 HEADGATE

MAY 9, 2013 41A 95128-00 Page 2 of 4

**Point of Diversion and Means of Diversion:** 

ID	Govt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<b>County</b>
2		NWSESW	20	11S	13W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	1 TO OCTOE	3ER 31			
<b>Diversion</b> M	eans: HEAD	GATE				
3		SWSESW	20	11S	13W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
Diversion M	eans: HEAD	GATE				
4		NESESW	28	11S	13W	BEAVERHEAD
*Source Name	e: MAIDE	MAIDEN CREEK, SOUTH FORK				
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
Diversion M	eans: HEAD	GATE				
5		NENWNE	29	11S	13W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
Diversion M	eans: HEAD	GATE				
6		SENESE	13	11S	14W	BEAVERHEAD
Source Name	e: MAIDE	EN CREEK				
Period of Div	version: APRIL	. 1 TO OCTOE	3ER 31			
<b>Diversion</b> M	eans: HEAD	GATE				
Period of Use:	APRIL	1 TO OCTOB	ER 31			

Place of Use:

ID	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>
1	45.00	S2SW	18	11S	13W	BEAVERHEAD
2	268.00	N2	19	11S	13W	BEAVERHEAD
3	89.00	N2S2	19	11S	13W	BEAVERHEAD
4	15.00	SWNW	20	11S	13W	BEAVERHEAD
5	36.00	NWSW	20	11S	13W	BEAVERHEAD
6	35.00	S2SW	20	11S	13W	BEAVERHEAD
7	20.00	SENE	29	11S	13W	BEAVERHEAD
8	6.00	N2NENW	29	11S	13W	BEAVERHEAD
9	112.00	SE	13	11S	14W	BEAVERHEAD
10	53.00	E2SW	13	11S	14W	BEAVERHEAD
11	106.00	NE	24	11S	14W	BEAVERHEAD
12	1.00	NENENW	24	11S	14W	BEAVERHEAD
13	8.00	N2NESE	24	11S	14W	BEAVERHEAD
Total:	794.00					

#### 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.

95011-00	95012-00	95013-00	95014-00	95015-00	95016-00	95017-00
95018-00	95020-00	95023-00	95024-00	95025-00	95026-00	95033-00
95034-00	95035-00	95036-00	95037-00	95038-00	95039-00	95040-00
95041-00	95042-00	95043-00	95044-00	95045-00	95046-00	95047-00
95048-00	95049-00	95050-00	95051-00	95052-00	95053-00	95054-00
95055-00	95113-00	95115-00	95116-00	95117-00	95118-00	95119-00
95120-00	95121-00	95122-00	95123-00	95124-00	95125-00	95127-00
95128-00						

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 8/31/2006: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/1/2007: PLACE OF USE, POINT OF DIVERSION, MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 2/20/2003.

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 2/15/2007.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

THIS CLAIM APPEARS TO DIVERT WATER FROM TWO SEPARATE SOURCES. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	41A 95129-00 STATEMENT OF CLAIM			
	Version: 2 ORIGINAL RIGHT			
	Status: ACTIVE			
Owners:	CARRIE A PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
	ROGER D PETERS 6000 MT HWY 324 DILLON, MT 59725 9624			
Priority Date:	JUNE 15, 1916			
Type of Historical Right	t: 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:	101.00			
*Source Name:	MAIDEN CREEK, NORTH FORK			
Source Type:	SURFACE WATER			
Point of Diversion and M	Means of Diversion:			
<u>ID</u> <u>Govt I</u>	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWSENW 20 11S 13W BEAVERHEAD			
Period of Diversion	a: APRIL 1 TO OCTOBER 31			
<b>Diversion Means:</b>	HEADGATE			
2 Decis 1 of Direction	NWSENW 22 11S 13W BEAVERHEAD a: APRIL 1 TO OCTOBER 31			
	HEADGATE			
	APRIL 1 TO OCTOBER 31			

Place of	Place of Use:							
ID	<u>Acres</u> Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	<u>County</u>		
1	20.00	S2S2	18	11S	13W	BEAVERHEAD		
2	23.00	N2NE	19	11S	13W	BEAVERHEAD		
3	19.00	E2NW	20	11S	13W	BEAVERHEAD		
4	14.00	SENE	21	11S	13W	BEAVERHEAD		
5	8.00	NESE	21	11S	13W	BEAVERHEAD		
6	12.00	SWNW	22	11S	13W	BEAVERHEAD		
7	5.00	NWSW	22	11S	13W	BEAVERHEAD		
Total:	101.00							

#### **Remarks:**

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/01/2007: POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE AND MAXIMUM ACRES.

THE PERIOD OF USE WAS AMENDED BY THE CLAIMANT ON 02/20/2003.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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). 1479-37, DATED 7/16/80, APPEARS TO INDICATE 60.08 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). CXM-7B-175, CXM-8B-12, CXM-14P-125 , DATED 8/15/42 OR 8/9/55 , APPEARS TO INDICATE 61.60 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.

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### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	41A 95130-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	MARTINELL, LEE CO PO BOX 240077 DELL, MT 59724 0077
Priority Date:	JUNE 6, 1900
Type of Historical Right	: FILED
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:	372.00
*Source Name:	UNNAMED TRIBUTARY OF RED ROCK RIVER
Source Type:	SURFACE WATER
	ALSO KNOWN AS RED BUTTE SPRING
*Point of Diversion and N	Vleans of Diversion:
<u>ID</u> <u>Govt I</u>	Lot <u>Qtr Sec Sec Twp Rge</u> County SENWSE 3 13S 9W BEAVERHEAD
•	: MAY 1 TO OCTOBER 31
Diversion Means:	DITCH
Period of Use:	MAY 1 TO OCTOBER 31

Place of	of Use	:
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<u>ID</u>	<u>Acres</u> <u>Govt Lot</u>	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	110.00	NE	33	12S	9W BEAVERHEAD
2	55.00	SE	33	12S	9W BEAVERHEAD
3	60.00	W2NW	34	12S	9W BEAVERHEAD
4	139.00	NW	3	13S	9W BEAVERHEAD
5	8.00	NENENE	4	13S	9W BEAVERHEAD
Total:	372.00				

#### 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.

95130-00	95131-00	95132-00	95163-00	95164-00	95165-00	95166-00
95167-00	95172-00	95173-00	95174-00	95175-00		

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.

95130-00 95152-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/24/2012: PLACE OF USE, MAXIMUM ACRES.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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# **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	41A 95131-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	MARTINELL, LEE CO PO BOX 240077 DELL, MT 59724 0077
Priority Date:	AUGUST 3, 1900
Type of Historical Right	: FILED
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
*Flow Rate:	13.41 CFS
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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:	354.00
Source Name:	SPRING, UNNAMED TRIBUTARY OF RED ROCK RIVER
Source Type:	SURFACE WATER
	ALSO KNOWN AS AL YOUNG SPRING
*Point of Diversion and M	Means of Diversion:
<u>ID</u> 1 <u>Govt I</u>	Lot <u>Qtr Sec Sec Twp</u> <u>Rge</u> <u>County</u> NWSWSE 10 13S 9W BEAVERHEAD
	: MAY 1 TO OCTOBER 31
<b>Diversion Means:</b>	DITCH
Period of Use:	MAY 1 TO OCTOBER 31

#### \*Place of Use:

ID	<u>Acres</u> Go	ovt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1	139.00		NW	3	13S	9W BEAVERHEAD
2	105.00		S2	3	13S	9W BEAVERHEAD
3	8.00	1	NENENE	4	13S	9W BEAVERHEAD
4	62.00		N2	10	13S	9W BEAVERHEAD
5	40.00		NESW	10	13S	9W BEAVERHEAD
Total:	354.00					

#### **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.

95130-00	95131-00	95132-00	95163-00	95164-00	95165-00	95166-00
95167-00	95172-00	95173-00	95174-00	95175-00		

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	<b>41A 95132-00</b> STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT
Owners:	Status: ACTIVE MARTINELL, LEE CO PO BOX 240077 DELL, MT 59724 0077
Priority Date:	SEPTEMBER 17, 1895
Type of Historical Right	:USE
Purpose(use):	IRRIGATION
Irrigation Type:	FLOOD
*Flow Rate:	
	NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF WASTE AND SEEPAGE.
*Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
Climatic Area	: 5 - LOW
Maximum Acres:	140.00
*Source Name: Source Type:	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF RED ROCK RIVER SURFACE WATER THE SOURCE IS WATER COLLECTED ALONG THE ENTIRE LENGTH OF THE O'ROURKE DITCH WITHIN THE POINT OF DIVERSION LEGAL LAND DESCRIPTION.
*Point of Diversion and I	Means of Diversion:
IDGovt I1	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> W2SW 3 13S 9W BEAVERHEAD
Period of Diversion	: MAY 1 TO OCTOBER 31
Diversion Means: Ditch Name:	DITCH O'ROURKE DITCH

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\*Point of Diversion and Means of Diversion:

$\frac{\text{ID}}{2}$ $\frac{\text{Ge}}{2}$	ovt Lot	<u>Qtr Sec</u> E2	<u>Sec</u> 4	<u>Twp</u> 13S	<u>Rge</u> 9W	<u>County</u> BEAVERHEAD
Period of Diver	О ОСТОВЕ	R 31				
<b>Diversion Mear</b>	s: DITCH					
Ditch Name:	O'ROURI	KE DITCH				
Period of Use:	MAY 1 TC	OCTOBE	R 31			
Place of Use: <u>ID Acres</u> Go	ovt Lot	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>

1	20.00	SE	33	12S	9W BEAVERHEAD
2	30.00	SW	33	12S	9W BEAVERHEAD
3	10.00	W2SW	3	13S	9W BEAVERHEAD
4	50.00	NE	4	13S	9W BEAVERHEAD
5	30.00	NW	4	13S	9W BEAVERHEAD
Total:	140.00				

#### **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.

95130-00	95131-00	95132-00	95163-00	95164-00	95165-00	95166-00
95167-00	95172-00	95173-00	95174-00	95175-00		

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/24/2012: VOLUME, PLACE OF USE MAXIMUM ACRES.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	41A 95133-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE			
Owners:	MARTINELL, LEE CO PO BOX 240077 DELL, MT 59724 0077			
<b>Priority Date:</b>	MAY 1, 1884			
Type of Historical Right	:USE			
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:	1,851.00			
Source Name:	BIG SHEEP CREEK			
Source Type:	SURFACE WATER			
*Point of Diversion and I	Means of Diversion:			
IDGovt I1	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SESWSE 17 13S 9W BEAVERHEAD			
Period of Diversion: MAY 1 TO JULY 1				
Diversion Means: Ditch Name:	HEADGATE LORD DITCH			
Period of Use:	MAY 1 TO JULY 1			
	THIS RIGHT INCLUDES HIGH OR FLOOD WATERS OF BIG SHEEP CREEK.			

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*Place of Use:								
<u>ID</u>	<u>Acres</u> Ge	ovt Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	<u>County</u>	
1	82.00		W2E2	30	12S	9W	BEAVERHEAD	
2	9.00		SESE	30	12S	9W	BEAVERHEAD	
3	214.00		W2	30	12S	9W	BEAVERHEAD	
4	555.00			31	12S	9W	BEAVERHEAD	
5	148.00		SW	32	12S	9W	BEAVERHEAD	
6	40.00		W2NE	5	13S	9W	BEAVERHEAD	
7	105.00		SE	5	13S	9W	BEAVERHEAD	
8	319.00		W2	5	13S	9W	BEAVERHEAD	
9	320.00		E2	6	13S	9W	BEAVERHEAD	
10	59.00		E2NW	6	13S	9W	BEAVERHEAD	
Total:	1,851.00							

#### 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.

95133-00 95168-00 95169-00 95170-00 95171-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 10/12/2012: FLOW RATE, MAXIMUM ACRES.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 SHEEP CREEK WITH A PRIORITY DATE PREDATING CASE NO. 3808 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.

MAY 9, 2013 41A 95133-00 Page 3 of 3

# **PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM**

# **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	41A 95134-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	MARTINELL, LEE CO PO BOX 240077 DELL, MT 59724 0077
Priority Date:	JUNE 1, 1905
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:	205.00
*Source Name:	UNNAMED TRIBUTARY OF RED ROCK RIVER
Source Type:	SURFACE WATER
	ALSO KNOWN AS COTTONWOOD CREEK.
Point of Diversion and N	Means of Diversion:
IDGovt I1	Lot <u>Qtr Sec Sec Twp</u> <u>Rge</u> <u>County</u> SWNWSW 25 13S 6W BEAVERHEAD
	: MAY 1 TO OCTOBER 31
<b>Diversion Means:</b>	HEADGATE
	WATER DIVERTED FROM UNNAMED TRIBUTARY RED ROCK RIVER IS CONVEYED TO SHINEBERGER CREEK 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 Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1	70.00	S2	30	13S	5W BEAVERHEAD
2	80.00	SE	25	13S	6W BEAVERHEAD
3	40.00	NE	36	13S	6W BEAVERHEAD
4	15.00	NW	36	13S	6W BEAVERHEAD
Total:	205.00				

#### **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.

95134-00 95136-00 95138-00 95142-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 08/13/2012 , A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY STATE OF MONTANA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

# **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41A 95135-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

<b>Owners:</b>	MARTINELL, LEE CO
	PO BOX 240077
	DELL, MT 59724 0077

**Priority Date:** 

**Enforceable Priority Date:** 

**Type of Historical Right:** 

Purpose (use): IRRIGATION

Flow Rate:

Volume:

Source Name: UNNAMED TRIBUTARY OF EXPRESS 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 08/24/2012.

# THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	41A 95136-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	MARTINELL, LEE CO PO BOX 240077 DELL, MT 59724 0077				
Priority Date:	JULY 31, 1911				
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:	175.00				
Source Name:	SHINEBERGER CREEK				
Source Type:	SURFACE WATER				
	THE SOURCE IS A TRIBUTARY OF RED ROCK RIVER.				
Point of Diversion and Means of Diversion:					
$\frac{ID}{1}$ Govt I	Lot <u>Qtr Sec Sec Twp Rge</u> County SWNESE 25 13S 6W BEAVERHEAD				
·	Period of Diversion: MAY 1 TO OCTOBER 31				
Diversion Means:	HEADGATE				
Period of Use:	MAY 1 TO OCTOBER 31				

#### Place of Use:

ID	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<b><u>Rge</u></b> <u>County</u>
1	130.00	S2	30	13S	5W BEAVERHEAD
2	20.00	SE	25	13S	6W BEAVERHEAD
3	25.00	NE	36	13S	6W BEAVERHEAD
Total:	175.00				

#### Remarks:

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THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

95134-00 95136-00 95138-00 95142-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 10/12/2012. AN AGREEMENT FROM THE STATE OF MONTANA TRUST LANDS IS NECESSARY TO PROCESS THE AMENDMENT.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 08/13/2012, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY STATE OF MONTANA.

AERIAL PHOTOGRAPH NO(S). CXM-3FF-158, 193 , DATED 08/14/1965 , APPEARS TO INDICATE 223.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PLACE OF USE LEGAL LAND DESCRIPTION COULD NOT BE REFINED FROM INFORMATION IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON SHINEBERGER CREEK WITH A PRIORITY DATE PREDATING CASE NO. 3802 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.

MAY 9, 2013 41A 95136-00 Page 3 of 3

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	41A 95137	-00 ST	ATEM	ENT OF	CLAI	Μ
	Version:	1 ORI0	GINAL	RIGHT		
		Status:	AC	CTIVE		
Owners:	MARTINEL PO BOX 24 DELL, MT 5	0077				
<b>Priority Date:</b>	FEBRUAR	Y 10, 191	9			
Type of Historical Righ	t: FILED					
Purpose(use):	STOCK					
*Flow Rate:	CONSISTS DITCH SYS	OF STO STEM. TH	CK DR HE FLC	NKING W RAT	DIRE E IS L	EN DECREED BECAUSE THIS USE CTLY FROM THE SOURCE, OR FROM A IMITED TO THE MINIMUM AMOUNT AIN THIS PURPOSE.
*Volume:	STOCK WA ANIMAL UN	ATERING	PURP 1AL UN	POSES A	ALL B	OF WATER CONSUMPTIVELY USED FOR E RATE OF 30 GALLONS PER DAY PER E BASED ON REASONABLE CARRYING THE AREA SERVICED BY THIS WATER
*Source Name:	UNNAMED	TRIBUT	ARY C	OF EXPR	RESS	CREEK
Source Type:	SURF	ACE WA	TER			
	ALSO KNO	WN AS S	SPRIN	G CREE	K	
Point of Diversion and	Means of Dive	ersion:				
$\frac{\text{ID}}{1}$ Govt	Lot	Qtr Sec W2	<u>Sec</u> 34	<u>Twp</u> 13S		<u>County</u> BEAVERHEAD
Period of Diversion			•••		000	BEAVERNEAD
Diversion Means:	LIVESTOC				RCE	
Period of Use:	JANUARY <sup>2</sup>	1 TO DEC	CEMBE	ER 31		
Place of Use:						
ID Acres Govt	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	County
1		W2	34	13S	6W	BEAVERHEAD

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

Water Right Number:	41A 95138-00 STATEMENT OF CLAIM				
	Version: 1 ORIGINAL RIGHT				
	Status: ACTIVE				
Owners:	MARTINELL, LEE CO PO BOX 240077 DELL, MT 59724 0077				
Priority Date:	JUNE 21, 1898				
Type of Historical Right	: FILED				
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:	175.00				
Source Name:	SHINEBERGER CREEK				
Source Type:	SURFACE WATER				
	THE SOURCE IS A TRIBUTARY OF RED ROCK RIVER.				
Point of Diversion and Means of Diversion:					
<u>ID</u> <u>Govt I</u>	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWNESE 25 13S 6W BEAVERHEAD				
Period of Diversion	Period of Diversion: MAY 1 TO OCTOBER 31				
<b>Diversion Means:</b>	HEADGATE				
Period of Use:	MAY 1 TO OCTOBER 31				

#### Place of Use:

ID	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<b><u>Rge</u></b> <u>County</u>
1	130.00	S2	30	13S	5W BEAVERHEAD
2	20.00	SE	25	13S	6W BEAVERHEAD
3	25.00	NE	36	13S	6W BEAVERHEAD
Total:	175.00				

#### Remarks:

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THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

95134-00 95136-00 95138-00 95142-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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 10/12/2012. AN AGREEMENT FROM THE STATE OF MONTANA TRUST LANDS IS NECESSARY TO PROCESS THE AMENDMENT.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 08/13/2012, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY STATE OF MONTANA.

AERIAL PHOTOGRAPH NO(S). CXM-3FF-158,193 , DATED 08/14/1965 , APPEARS TO INDICATE 223.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE PLACE OF USE LEGAL LAND DESCRIPTION COULD NOT BE REFINED FROM INFORMATION IN THE CLAIM FILE.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A FILED APPROPRIATION ON SHINEBERGER CREEK WITH A PRIORITY DATE PREDATING CASE NO. 1292 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.

MAY 9, 2013 41A 95138-00 Page 3 of 3

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

## OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95139-0	O STA	TEME	NT OF	CLAII	М
	Version: 1	ORIGI	NAL R	IGHT		
	S	Status:	AC	TIVE		
Owners:	MARTINELL, PO BOX 240 DELL, MT 59	077				
<b>Priority Date:</b>	MAY 14, 191	7				
Type of Historical Rig	ht: FILED					
Purpose(use):	STOCK					
*Flow Rate:	CONSISTS O DITCH SYST	OF STOCI EM. THE	k drii E flo\	NKING N RATI	DIRE E IS L	EN DECREED BECAUSE THIS USE CTLY FROM THE SOURCE, OR FROM A IMITED TO THE MINIMUM AMOUNT AIN THIS PURPOSE.
*Volume:	STOCK WAT ANIMAL UNI	ERING P T. ANIMA	URPC	OSES A TS SHA	T THI	OF WATER CONSUMPTIVELY USED FOR E RATE OF 30 GALLONS PER DAY PER E BASED ON REASONABLE CARRYING THE AREA SERVICED BY THIS WATER
*Source Name:	UNNAMED	TRIBUTA	RY OF	RED F	ROCK	( RIVER
Source Type:	SURFA	CE WATE	ER			
Point of Diversion and	l Means of Diver	sion:				
<u>ID</u> <u>Gov</u>			<u>Sec</u> 34	<u>Twp</u> 13S		<u>County</u> BEAVERHEAD
Period of Diversion						
Diversion Means:		-	-	I SOUF	CE	
Period of Use:	MAY 1 TO D	ECEMBEI	R 31			
Place of Use:		~	~	-	_	
ID <u>Acres Govt</u>			<u>Sec</u>	Twp		County
1	SES	SESW	34	13S	6W	BEAVERHEAD

#### Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/30/2012: PURPOSE, SOURCE, POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, PERIOD OF USE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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## OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number: 41A 95140-00 STATEMENT OF CLAIM 1 -- ORIGINAL RIGHT Version: Status: WITHDRAWN MARTINELL, LEE CO **Owners:** PO BOX 240077 DELL. MT 59724 0077 **Priority Date: Enforceable Priority Date: Type of Historical Right:** IRRIGATION **Purpose (use):** Flow Rate: Volume: SPRING, UNNAMED TRIBUTARY OF RED ROCK RIVER Source Name: 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 08/24/2012.

## THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 9514 <sup>-</sup>	1-00 ST	ATEM	ENT OF	CLAI	Μ
	Version:	1 ORI0	GINAL	RIGHT		
		Status:	AC	CTIVE		
Owners:	MARTINEL PO BOX 2 DELL, MT	40077				
<b>*Priority Date:</b>	DECEMBE	R 31, 196	60			
Type of Historical Right	USE					
Purpose(use):	STOCK					
*Flow Rate:	CONSISTS DITCH SY	S OF STO STEM. TH	CK DR HE FLC	INKING DW RAT	DIRE E IS L	EN DECREED BECAUSE THIS USE CTLY FROM THE SOURCE, OR FROM A IMITED TO THE MINIMUM AMOUNT AIN THIS PURPOSE.
*Volume:	STOCK W ANIMAL U	ATERING NIT. ANIM	PURP 1AL UN	OSES A	ALL B	OF WATER CONSUMPTIVELY USED FOR E RATE OF 30 GALLONS PER DAY PER E BASED ON REASONABLE CARRYING THE AREA SERVICED BY THIS WATER
*Source Name:	SPRING, l	JNNAME	) TRIE	BUTARY	OF R	ED ROCK RIVER
Source Type:	SURI	FACE WA	TER			
	ALSO KNO	OWN AS C	GRADY	SPRIN	GS	
*Point of Diversion and I	Means of Div	version:				
$\frac{ID}{1}$ Govt		<u>Qtr Sec</u> ENESW	<u>Sec</u> 35	<u>Тwp</u> 13S		<u>County</u> BEAVERHEAD
Period of Diversion Diversion Means:	-	1 TO DE				
Period of Use:	JANUARY	1 TO DEC	CEMBE	R 31		
*Place of Use:						
ID <u>Acres Govt 1</u>	Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	Rge	County
1		NWSE	35	13S	6W	BEAVERHEAD

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

## OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95142-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	MARTINELL, LEE CO PO BOX 240077 DELL, MT 59724 0077					
*Priority Date:	DECEMBER 31, 1960					
Type of Historical Right	:USE					
Purpose(use):	IRRIGATION					
Irrigation Type:	FLOOD					
*Flow Rate:	5.08 CFS					
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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:	134.00					
*Source Name:	SPRING, UNNAMED TRIBUTARY OF RED ROCK RIVER					
Source Type:	SURFACE WATER					
	ALSO KNOWN AS HINCH SPRING					
*Point of Diversion and Means of Diversion:						
ID Govt I						
1	SESENE 30 13S 5W BEAVERHEAD					
	: MAY 1 TO OCTOBER 31					
<b>Diversion Means:</b> 2	DITCH NENWSE 30 13S 5W BEAVERHEAD					
	: MAY 1 TO OCTOBER 31					
Diversion Means:	DITCH					

MAY 9, 2013 41A 95142-00 Page 2 of 3

\*Point of Diversion and Means of Diversion:

<u>ID</u>	<u>G</u>	Govt Lot		Sec	<u>Twp</u>	<u>Rge</u>	<u>County</u>
3			NESESW	30	13S	5W	BEAVERHEAD
Pe	eriod of Diver	sion: MAY 1	TO OCTOBE	R 31			
Di	version Mean	ns: DITCH	ł				
Period	of Use:	MAY 1	TO OCTOBE	R 31			
Place o	f Use:						
ID	<u>Acres</u> Ge	ovt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u>	<u>County</u>
1	18.00		NWSW	29	13S	5W	BEAVERHEAD
2	108.00		SE	30	13S	5W	BEAVERHEAD
3	8.00		SESW	30	13S	5W	BEAVERHEAD
Total:	134.00						

#### **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.

95134-00 95136-00 95138-00 95142-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/24/2012: PLACE OF USE, MAXIMUM ACRES.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." MAY 9, 2013 41A 95142-00 Page 3 of 3

Period of Use:

## PRELIMINARY DECREE RED ROCK RIVER BASIN 41A ABSTRACT OF WATER RIGHT CLAIM

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

## OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95143-00 STATEMENT OF CLAIM
	Version: 1 ORIGINAL RIGHT
	Status: ACTIVE
Owners:	MARTINELL, LEE CO PO BOX 240077 DELL, MT 59724 0077
Priority Date:	JULY 1, 1886
Type of Historical Right	: DECREED
Purpose(use):	STOCK
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
Source Name:	RED ROCK RIVER
Source Type:	SURFACE WATER
Point of Diversion and I	Means of Diversion:
<u>ID</u> <u>Govt</u>	Lot <u>Qtr Sec Sec Twp</u> <u>Rge</u> <u>County</u> SENWNE 15 13S 9W BEAVERHEAD
Period of Diversion	: JANUARY 1 TO DECEMBER 31
Diversion Means: Ditch Name:	HEADGATE MARTINELL-YOUNG

**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>	Twp	<u>Rge</u> <u>County</u>
1		E2	33	12S	9W BEAVERHEAD
2		W2NW	34	12S	9W BEAVERHEAD
3		NW	3	13S	9W BEAVERHEAD
4		SE	3	13S	9W BEAVERHEAD
5		E2	10	13S	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.

95143-00 95163-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

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THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

## OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95144-00 STATEMENT OF CLAIM							
	Version: 1 ORIGINAL RIGHT							
	Status: ACTIVE							
Owners:	MARTINELL, LEE CO PO BOX 240077 DELL, MT 59724 0077							
Priority Date:	NOVEMBER 20, 1925							
Type of Historical Right	: FILED							
*Purpose(use):	MULTIPLE DOMESTIC							
Flow Rate:	20.00 GPM							
Volume:	10.50 AC-FT							
Households:	2							
Maximum Acres:	3.00							
Source Name:	GROUNDWATER							
Source Type:	GROUNDWATER							
*Point of Diversion and I	Means of Diversion:							
$\frac{\mathbf{ID}}{1}$ Govt	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SESWNW 3 13S 9W BEAVERHEAD							
Period of Diversion	: JANUARY 1 TO DECEMBER 31							
<b>Diversion Means:</b>	WELL							
Period of Use:	JANUARY 1 TO DECEMBER 31							
*Place of Use:								
ID Acres Govt I	Lot <u>Qtr Sec Sec Twp Rge County</u>							
1 3.00	SESWNW 3 13S 9W BEAVERHEAD							
<b>Total:</b> 3.00								

**Remarks:** 

MAY 9, 2013 41A 95144-00

Page 2 of 2

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/24/2012: FLOW RATE, VOLUME, PRIORITY DATE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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## OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95145-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE							
Owners:	MARTINELL, LEE CO PO BOX 240077 DELL, MT 59724 0077							
<b>Priority Date:</b>	JUNE 1, 1952							
Type of Historical Right	t: FILED							
*Purpose(use): Flow Rate:	MULTIPLE DOMESTIC 20.00 GPM							
Volume:	10.50 AC-FT							
Households:	2							
Maximum Acres:	3.00							
Source Name:	GROUNDWATER							
Source Type:	GROUNDWATER							
Point of Diversion and	Point of Diversion and Means of Diversion:							
IDGovt LotQtr SecSecTwpRgeCounty1SESWNW313S9WBEAVERHEADPeriod of Diversion: JANUARY 1 TO DECEMBER 31Diversion Means: WELL								
Period of Use:	JANUARY 1 TO DECEMBER 31							
Place of Use:								
ID Acres Govt	Lot <u>Qtr Sec Sec Twp Rge County</u>							
1 3.00	SESWNW 3 13S 9W BEAVERHEAD							
<b>Total:</b> 3.00								

**Remarks:** 

MAY 9, 2013 41A 95145-00 Page 2 of 2

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/24/2012: POINT OF DIVERSION, PLACE OF USE, VOLUME, PRIORITY DATE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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## OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95146-00 STATEMENT OF CLAIM						
	Version: 1 ORIGINAL RIGHT						
	Status: ACTIVE						
Owners:	MARTINELL, LEE CO PO BOX 240077 DELL, MT 59724 0077						
<b>Priority Date:</b>	FEBRUARY 1, 1951						
Type of Historical Right	: FILED						
Purpose(use):	DOMESTIC						
Flow Rate:	15.00 GPM						
Volume:	2.00 AC-FT						
Households:	1						
Maximum Acres:	1.00						
Source Name:	GROUNDWATER						
Source Type:	ource Type: GROUNDWATER						
Point of Diversion and	Means of Diversion:						
$\frac{\mathbf{ID}}{1}$ Govt	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWNWSW 3 13S 9W BEAVERHEAD						
Period of Diversion	: JANUARY 1 TO DECEMBER 1						
<b>Diversion Means:</b>	WELL						
Period of Use:	JANUARY 1 TO DECEMBER 1						
*Place of Use:							
ID <u>Acres</u> Govt	Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u>						
1 1.00	NWNWSW 3 13S 9W BEAVERHEAD						
<b>Total:</b> 1.00							

#### Remarks:

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 08/24/2012.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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## OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95147-00 STATEMENT OF CLAIM								
	Version: 1 OF	RIGINAL RIGH	т						
	Status	ACTIVE							
Owners:	MARTINELL, LEE CO PO BOX 240077 DELL, MT 59724 0077								
<b>*Priority Date:</b>	OCTOBER 12, 192	26							
Type of Historical Right	: FILED								
*Purpose(use):	MULTIPLE DOMES	STIC							
Flow Rate:	20.00 GPM								
Volume:	3.00 AC-FT	3.00 AC-FT							
Households:	2								
Source Name:	GROUNDWATER								
Source Type:	GROUNDWATER								
Point of Diversion and	Point of Diversion and Means of Diversion:								
$\frac{\mathbf{ID}}{1}$ Govt	Lot Qtr See SWSWNW								
Period of Diversion	1: JANUARY 1 TO D	ECEMBER 31							
<b>Diversion Means:</b>	WELL								
Period of Use:	JANUARY 1 TO D	ECEMBER 31							
Place of Use:									
<u>ID</u> <u>Acres</u> <u>Govt 1</u>	Lot Qtr See	<u>e Sec Twr</u>	<u>p Rge County</u>						
1	SWSWNW	/ 3 135	S 9W BEAVERHEAD						

#### **Remarks:**

THE VOLUME WAS AMENDED BY THE CLAIMANT ON 08/24/2012.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

## THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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### **IMPORTANT NOTICE**

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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 9514	<b>B-00</b> ST	ATEM	ENT OF	CLAII	Μ	
	Version:	1 ORI	GINAL	RIGHT			
		Status:	AC	CTIVE			
Owners:	MARTINELL, LEE CO PO BOX 240077 DELL, MT 59724 0077						
<b>Priority Date:</b>	AUGUST 1	15, 1956					
Type of Historical Right	: FILED						
Purpose(use):	STOCK						
Flow Rate:	15.00 GPN	1					
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.						
Source Name:	GROUND	WATER					
Source Type:	GRO	UNDWAT	ER				
*Point of Diversion and	Means of Div	version:					
$\frac{\mathbf{ID}}{1}$ Govt	5 SV	<u>Qtr Sec</u> /SWNW	<u>Sec</u> 12	<u>Twp</u> 13S	<u>Rge</u> 2W	<u>County</u> BEAVERHEAD	
Period of Diversion Diversion Means:	: JANUARY WELL	' 1 TO DE	CEMBI	ER 31			
Period of Use:	JANUARY	1 TO DEC	CEMBE	R 31			
*Place of Use:							
ID Acres Govt	Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	County	
1	5 SV	SWNW	12	13S	2W	BEAVERHEAD	

**Remarks:** 

MAY 9, 2013 41A 95148-00 Page 2 of 2

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/24/2012: POINT OF DIVERSION, PLACE OF USE, PRIORITY DATE.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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### **IMPORTANT NOTICE**

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## OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95149-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE
Owners:	MARTINELL, LEE CO PO BOX 240077 DELL, MT 59724 0077
*Priority Date:	DECEMBER 10, 1963
	THE PRIORITY DATE OF THIS WATER RIGHT HAS BEEN CHANGED TO THE DATE OF FILING THE NOTICE OF COMPLETION OF GROUNDWATER APPROPRIATION ( GW 2 ). THE PRIORITY DATE MAY BE CONTESTED BY PROPER OBJECTION.
Type of Historical Right	t: FILED
Purpose(use):	MULTIPLE DOMESTIC
Flow Rate:	20.00 GPM
Volume:	3.00 AC-FT
Households:	2
Source Name:	GROUNDWATER
Source Type:	GROUNDWATER
*Point of Diversion and	Means of Diversion:
ID Govt 1 Pariod of Divarias	Lot <u>Qtr Sec Sec Twp</u> <u>Rge</u> <u>County</u> SWNWSE 25 13S 6W BEAVERHEAD n: JANUARY 1 TO DECEMBER 31
Diversion Means:	WELL
Period of Use:	JANUARY 1 TO DECEMBER 31
*Place of Use:	
ID Acres Govt	Lot <u>Qtr Sec Sec Twp Rge County</u>
1	SWNWSE 25 13S 6W BEAVERHEAD

**Remarks:** 

MAY 9, 2013 41A 95149-00

Page 2 of 2

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/24/2012: PURPOSE, FLOW RATE, VOLUME.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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## OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95150-00 STATEMENT OF CLAIM								
	Version: 1 ORIGINAL RIGHT Status: ACTIVE								
Owners:	MARTINELL, LEE CO PO BOX 240077 DELL, MT 59724 0077								
Priority Date:	SEPTEMBER 1, 1960								
Type of Historical Right	: USE								
Purpose(use):	DOMESTIC								
Flow Rate:	35.00 GPM								
Volume:	11.50 AC-FT								
Households:	1								
Maximum Acres:	4.00								
*Source Name: Source Type:	SPRING, UNNAMED TRIBUTARY OF RED ROCK RIVER GROUNDWATER ALSO KNOWN AS MAYBERRY SPRINGS								
Point of Diversion and Means of Diversion:									
IDGovt 1	Lot <u>Qtr Sec Sec Twp Rge County</u> NWNWSE 25 13S 6W BEAVERHEAD								
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: PIPELINE									
Period of Use:									
Place of Use:									
<u>ID</u> <u>Acres</u> <u>Govt 1</u>	Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u>								
1 4.00	NWNWSE 25 13S 6W BEAVERHEAD								
<b>Total:</b> 4.00									

Remarks:

MAY 9, 2013 41A 95150-00 Page 2 of 2

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/24/2012: POINT OF DIVERSION, MEANS OF CONVEYANCE, PLACE OF USE, FLOW RATE, VOLUME.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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# OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95151-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE				
Owners:	MARTINELL, LEE CO PO BOX 240077 DELL, MT 59724 0077				
Priority Date:	APRIL 24, 1914				
Type of Historical Right	: FILED				
Purpose(use):	IRRIGATION				
Irrigation Type:	FLOOD				
*Flow Rate:	4.73 CFS				
	THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. 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:	125.00				
Source Name:	SPRING CREEK				
Source Type:	SURFACE WATER				
	ALSO KNOWN AS SPRING CREEK				
Point of Diversion and Means of Diversion:					
<u>ID</u> 1 <u>Govt I</u>	Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWNWSW 2 13S 2W BEAVERHEAD				
Period of Diversion: MAY 1 TO OCTOBER 31					
<b>Diversion Means:</b>	HEADGATE				
Period of Use:	MAY 1 TO OCTOBER 31				

#### Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	Sec	Twp	<u>Rge</u> <u>County</u>
1	10.00	SENW	2	13S	2W BEAVERHEAD
2	55.00	SE	2	13S	2W BEAVERHEAD
3	60.00	N2SW	2	13S	2W BEAVERHEAD
Total:	125.00				

#### **Remarks:**

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE FOLLOWING 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). 779-175 , DATED 09/17/1979 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

AERIAL PHOTOGRAPH NO(S). CXM-2FF-019 , DATED 07/31/1965 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

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.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE <u>CHANGES</u> FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES OR BY ORDER OF THE WATER COURT.

## OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95152-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	MARTINELL, LEE CO PO BOX 240077 DELL, MT 59724 0077					
Priority Date:	JUNE 6, 1900					
Type of Historical Right	: FILED					
Purpose(use):	STOCK					
*Flow Rate:	A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.					
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 RED ROCK RIVER					
Source Type:	SURFACE WATER					
	ALSO KNOWN AS RED BUTTE SPRING					
*Point of Diversion and Means of Diversion:						
$\frac{\text{ID}}{1}$ Govt I	Lot <u>Qtr Sec Sec Twp Rge County</u> SENWSE 3 13S 9W BEAVERHEAD					
I	: JANUARY 1 TO DECEMBER 31					
Diversion Means:	DITCH					

Period of Use: JANUARY 1 TO DECEMBER 31

#### Place of Use:

<u>ID</u>	Acres Govt Lot	<u>Qtr Sec</u>	<u>Sec</u>	Twp	<u>Rge</u> <u>County</u>
1		SE	33	12S	9W BEAVERHEAD
2		NW	3	13S	9W BEAVERHEAD
3		NWSE	3	13S	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.

95130-00 95152-00

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 08/24/2012.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

### **IMPORTANT NOTICE**

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## OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95153-00 STATEMENT OF CLAIM					
	Version: 1 ORIGINAL RIGHT					
	Status: ACTIVE					
Owners:	MARTINELL, LEE CO PO BOX 240077 DELL, MT 59724 0077					
<b>Priority Date:</b>	SEPTEMBER 5, 1952					
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 RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER 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 SNOWSHOE CREEK					
Source Type:	GROUNDWATER					
Source Name:	UNNAMED TRIBUTARY OF SNOWSHOE CREEK					
Source Type:	SURFACE WATER					
Source Name:	SNOWSHOE CREEK					
Source Type:	SURFACE WATER					
	THE SOURCE INCLUDES UNNAMED TRIBUTARIES OF SNOWSHOE CREEK.					
*Point of Diversion and Means of Diversion:						
$\frac{\text{ID}}{1}$ Govt	Lot <u>Qtr Sec Sec Twp Rge County</u> NENENE 2 13S 2W BEAVERHEAD					
I Source Name:	UNNAMED TRIBUTARY OF SNOWSHOE CREEK					
Period of Diversion						
Diversion Means:						

**Diversion Means:** WELL

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**\***Point of Diversion and Means of Diversion:

				G	T	ъ	<b>C</b> 4	
<u>ID</u> 2	<u>Govt l</u>	Lot	<u>Qtr Sec</u> SESENW	<u>Sec</u> 2	<u>Twp</u> 13S		<u>County</u> BEAVERHEAD	
_	Source Name: UNNAMED TRIBUTARY OF SNOWSHOE CREEK							
Period of Diversion:								
		DAM						
	sion Means:	DAIVI		0	400	0147		
3	NT	CNION	SWNWSW	2	13S	200	BEAVERHEAD	
	e Name:		SHOE CREI	ΞŇ				
	d of Diversion							
Diver	sion Means:	DAM						
*Rese	ervoir: ON	STREAM	1					
	<u>Govt I</u>	Lot	<u>Qtr Sec</u> SESENW	<u>Sec</u> 2	<u>Тwp</u> 13S	Rge 2W	<u>County</u> BEAVERHEAD	
Ι	Diversion to R	eservoir:	DIVERS	ION # 2				
Ι	) am Height:		11.00	FEET				
Ι	Depth:		8.00	FEET				
S	urface Area:		0.45	ACRES				
(	Capacity:		1.44	ACRE-F	EET			
*Rese	ervoir: ON	STREAM	1					
	<u>Govt I</u>	Lot	<u>Qtr Sec</u> SWNWSW	<u>Sec</u> 2	<u>Тwp</u> 13S	<u>Rge</u> 2W	<u>County</u> BEAVERHEAD	
Ι	Diversion to R	eservoir:	DIVERS	ION # 3				
I	am Height:		11.00	FEET				
	Depth:			FEET				
Surface Area: 0.45 ACRES								
(	Capacity:		1.44	ACRE-F	EET			
THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.								
Period of Use: JANUARY 1 TO DECEMBER 31								
Place of U	se:							
ID	<u>Acres</u> <u>Govt I</u>	Lot	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	County	
1			NENENE	2	13S	2W	BEAVERHEAD	
2			SESENW	2	13S	2W	BEAVERHEAD	
3			SWNWSW	2	13S	2W	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. THE LEGAL LAND DESCRIPTION FOR POINT OF DIVERSION NO. 3 COULD NOT BE REFINED FROM INFORMATION IN THE FILE. THIS CLAIMED POINT OF DIVERSION CANNOT BE CONFIRMED.

THIS CLAIM APPEARS TO BE CLAIMING THREE SEPARATE SOURCES OF WATER. MORE THAN ONE WATER RIGHT MAY BE INVOLVED. A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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### **IMPORTANT NOTICE**

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## OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

Water Right Number:	41A 95154-00 STATEMENT OF CLAIM					
	Version:	1 ORIC	SINAL	RIGHT		
		Status:	AC	TIVE		
Owners:	MARTINELL, LEE CO PO BOX 240077 DELL, MT 59724 0077					
<b>Priority Date:</b>	SEPTEMBE	R 8, 195	2			
Type of Historical Right	: FILED					
Purpose(use):	STOCK					
Flow Rate:	20.00 GPM					
*Volume:	THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.					
Source Name:	GROUNDW	ATER				
Source Type:	GROUNDWATER					
Point of Diversion and	Means of Dive	rsion:				
$\frac{\mathbf{ID}}{1} \qquad \qquad$	SW	Qtr Sec NESW	<u>Sec</u> 2	<u>Twp</u> 13S	<u>Rge</u> 9W	<u>County</u> BEAVERHEAD
Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: WELL						
Period of Use: JANUARY 1 TO DECEMBER 31						
Place of Use:						
ID <u>Acres</u> Govt	Lot	<u>Qtr Sec</u>	Sec	Twp	Rge	County
1	SW	NESW	2	13S	9W	BEAVERHEAD

**Remarks:** 

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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