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: | 42C 180589-00 STATEMENT OF CLAIM | | |
|--|---|--|--|
| | Version: 1 ORIGINAL RIGHT | | |
| | Status: ACTIVE | | |
| Owners: | CRAIG LAMBRECHT 1785 FAR WEST DR BISMARCK, ND 58504 | | |
| | JEWEL LAMBRECHT 1785 FAR WEST DR BISMARCK, ND 58504 | | |
| Priority Date: | DECEMBER 31, 1940 | | |
| 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. | | |
| *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 ELK CREEK, NORTH FORK | | |
| Source Type: | SURFACE WATER | | |
| | ALSO KNOWN AS NORTH ELK CREEK NO 5 SPRING | | |
| Point of Diversion and Means of Diversion: | | | |
| <u>ID</u> <u>Govt</u> | | | |
| 1 | SWSENW 33 5S 47E POWDER RIVER | | |
| Diversion Means: | LIVESTOCK DIRECT FROM SOURCE | | |
| Period of Use: | APRIL 1 TO JUNE 1 | | |

Place of Use:

Page 2 of 2

| <u>ID</u> | <u>Acres</u> Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | <u>Rge</u> <u>County</u> |
|-----------|-----------------------|----------------|------------|-----|--------------------------|
| 1 | | SWSENW | 33 | 5S | 47E POWDER RIVER |
| | | | | | |

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 180590-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE CRAIG LAMBRECHT 1785 FAR WEST DR BISMARCK, ND 58504 JEWEL LAMBRECHT 1785 FAR WEST DR | | | | |
|---|---|--|--|--|--|
| | BISMARCK, ND 58504 | | | | |
| Priority Date: | SEPTEMBER 30, 1959 | | | | |
| Type of Historical Righ | t: USE | | | | |
| Purpose(use): | STOCK | | | | |
| Flow Rate: | 10.00 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 | Point of Diversion and Means of Diversion: | | | | |
| IDGovt1Diversion Means: | NESESW 32 5S 47E POWDER RIVER | | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | |
| Place of Use: <u>ID Acres</u> <u>Govt 1</u> 1 | Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> NESESW 32 5S 47E POWDER RIVER | | | | |

Page 2 of 2

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. 180590-00 180591-00

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

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

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

PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 180591-00 STATEMENT OF CLAIM | | | | | |
|--------------------------|---|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | | |
| | | | | | | |
| Owners: | CRAIG LAMBRECHT 1785 FAR WEST DR BISMARCK, ND 58504 | | | | | |
| | JEWEL LAMBRECHT 1785 FAR WEST DR BISMARCK, ND 58504 | | | | | |
| Priority Date: | SEPTEMBER 30, 1959 | | | | | |
| Type of Historical Right | :USE | | | | | |
| Purpose(use): | DOMESTIC | | | | | |
| Flow Rate: | 10.00 GPM | | | | | |
| Volume: | 1.50 AC-FT | | | | | |
| Households: | 1 | | | | | |
| Maximum Acres: | 0.25 | | | | | |
| Source Name: | GROUNDWATER | | | | | |
| Source Type: | GROUNDWATER | | | | | |
| Point of Diversion and M | Point of Diversion and Means of Diversion: | | | | | |
| ID Govt 1 | | | | | | |
| 1 | NESESW 32 5S 47E POWDER RIVER | | | | | |
| Diversion Means: | | | | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | | |
| Place of Use: | | | | | | |
| ID Acres Govt I | | | | | | |
| 1 0.25 | NESESW 32 5S 47E POWDER RIVER | | | | | |
| Total: 0.25 | | | | | | |

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42C 180591-00

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. 180590-00 180591-00

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF 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: | 42C 180592-00 STATEMENT OF CLAIM | | |
|------------------------------------|---|--|--|
| | Version: 1 ORIGINAL RIGHT | | |
| | Status: ACTIVE | | |
| Owners: | A FRANK HAGEN HORSE CREEK RANCH 221 OTTER CREEK ROAD ASHLAND, MT 59003 | | |
| *Priority Date: | DECEMBER 31, 1968 | | |
| Type of Historical Right | :USE | | |
| Purpose(use): | STOCK | | |
| Flow Rate: | 2.00 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 INDIAN CREEK | | |
| Source Type: | GROUNDWATER | | |
| Point of Diversion and M | Means of Diversion: | | |
| <u>ID</u> <u>Govt I</u> | | | |
| 1 Dimonsion Maanaa | SWSENW 22 7S 46E POWDER RIVER DEVELOPED SPRING | | |
| Diversion Means: Period of Use: | JANUARY 1 TO DECEMBER 31 | | |
| Period of Use: | JANUART TO DECEMBER 31 | | |
| Place of Use: | | | |
| ID <u>Acres</u> Govt I | Lot <u>Qtr Sec Sec Twp Rge County</u> | | |
| 1 | SWSENW 22 7S 46E POWDER RIVER | | |

Remarks:

Decree Report - Page 8836

Page 2 of 2

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

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE DUPLICATE FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

180592-00 48762-00

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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."

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: | 42C 180593-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | |
|--|---|--|--|--|
| Owners: | A FRANK HAGEN HORSE CREEK RANCH 221 OTTER CREEK ROAD ASHLAND, MT 59003 | | | |
| Priority Date: | OCTOBER 23, 1981 | | | |
| | THIS IS AN EXISTING RIGHT. ITS POST-1973 PRIORITY DATE IS DECREED PURSUANT TO SECTION 85-2-306(4) MCA. | | | |
| Type of Historical Right | :USE | | | |
| Purpose(use): | STOCK | | | |
| Flow Rate: | 5.00 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> NENESE 1 7S 45E POWDER RIVER | | | |
| Diversion Means: | | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | |
| Place of Use: <u>ID</u> <u>Acres</u> <u>Govt I</u> 1 | Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> NENESE 1 7S 45E POWDER RIVER | | | |

42C 180593-00

Page 2 of 2

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.

180593-00 180597-00

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 AND WATER RIGHT NO. 42C-48763 APPEAR TO BE REDUNDANT FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

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.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 180594-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | |
|--|---|--|--|
| Owners: | A FRANK HAGEN HORSE CREEK RANCH 221 OTTER CREEK ROAD ASHLAND, MT 59003 | | |
| Priority Date: | DECEMBER 31, 1930 | | |
| Type of Historical Right | t: FILED | | |
| Purpose(use): | STOCK | | |
| Flow Rate: | 5.00 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 | | |
| | ALSO KNOWN AS O'DAY WELL | | |
| Point of Diversion and I | Means of Diversion: | | |
| ID Govt 1 1 Diversion Means: | Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> SENENE 23 7S 45E POWDER RIVER WELL | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | |
| Place of Use: <u>ID</u> <u>Acres</u> <u>Govt I</u> 1 | Lot <u>Qtr Sec Sec Twp Rge County</u> SENENE 23 7S 45E POWDER RIVER | | |

Page 2 of 2

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 180595-00 STATEMENT OF CLAIM | | | |
|-------------------------------|---|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | |
| | Status: ACTIVE | | | |
| Owners: | A FRANK HAGEN HORSE CREEK RANCH 221 OTTER CREEK ROAD ASHLAND, MT 59003 | | | |
| Priority Date: | DECEMBER 31, 1969 | | | |
| Type of Historical Right | t: USE | | | |
| Purpose(use): | IRRIGATION | | | |
| Irrigation Type: | WATER SPREADING | | | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. | | | |
| Volume: | 12.00 AC-FT | | | |
| Climatic Area: | : 2 - MODERATELY HIGH | | | |
| Maximum Acres: | 6.00 | | | |
| Source Name: | UNNAMED TRIBUTARY OF OTTER CREEK | | | |
| Source Type: | SURFACE WATER | | | |
| Point of Diversion and N | Means of Diversion: | | | |
| <u>ID</u> <u>Govt I</u> | | | | |
| 1 Diversion Means: | SWSENW 6 7S 46E POWDER RIVER | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | |
| | | | | |
| Place of Use: | | | | |
| <u>ID</u> <u>Acres Govt I</u> | | | | |
| 1 6.00 | W2SENW 6 7S 46E POWDER RIVER | | | |
| Total: 6.00 | | | | |

Page 2 of 2

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 180596-00 STATEMENT OF CLAIM | | | |
|--|---|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | |
| | Status: ACTIVE | | | |
| Owners: | A FRANK HAGEN HORSE CREEK RANCH 221 OTTER CREEK ROAD ASHLAND, MT 59003 | | | |
| Priority Date: | SEPTEMBER 15, 1912 | | | |
| Type of Historical Right | :FILED | | | |
| Purpose(use): | IRRIGATION | | | |
| Irrigation Type: | WATER SPREADING | | | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. | | | |
| Volume: | 80.00 AC-FT | | | |
| Climatic Area: 2 - MODERATELY HIGH | | | | |
| Maximum Acres: | 80.00 | | | |
| Source Name: | UNNAMED TRIBUTARY OF BEAR CREEK | | | |
| Source Type: | SURFACE WATER | | | |
| | ALSO KNOWN AS SECOND CREEK | | | |
| Point of Diversion and Means of Diversion: | | | | |
| <u>ID</u> <u>Govt I</u> | | | | |
| 1 Diversion Means: | NWNESW 34 7S 45E POWDER RIVER | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | |

FEBRUARY 28, 2008

42C 180596-00 Page 2 of 2

Place of Use:

| ID | Acres Govt Lot | <u>Qtr Sec</u> | Sec | Twp | <u>Rge</u> <u>County</u> |
|--|----------------|----------------|-----|-----|--------------------------|
| 1 | 5.00 | W2SESW | 27 | 7S | 45E POWDER RIVER |
| 2 | 15.00 | E2SESW | 27 | 7S | 45E POWDER RIVER |
| 3 | 45.00 | E2NW | 34 | 7S | 45E POWDER RIVER |
| 4 | 10.00 | N2NESW | 34 | 7S | 45E POWDER RIVER |
| 5 | 5.00 | SWNESW | 34 | 7S | 45E POWDER RIVER |
| Total: | 80.00 | | | | |
| Funning and a second se | | | | | |

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: Owners: | 42C 180597-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE A FRANK HAGEN HORSE CREEK RANCH | | | |
|--------------------------------|---|--|--|--|
| | 221 OTTER CREEK ROAD ASHLAND, MT 59003 | | | |
| Priority Date: | OCTOBER 23, 1981 | | | |
| | THIS IS AN EXISTING RIGHT. ITS POST-1973 PRIORITY DATE IS DECREED PURSUANT TO SECTION 85-2-306(4) MCA. | | | |
| Type of Historical Right | : USE | | | |
| Purpose(use): | DOMESTIC | | | |
| Flow Rate: | 5.00 GPM | | | |
| Volume: | 2.00 AC-FT | | | |
| Households: | 1 | | | |
| Maximum Acres: | 1.00 | | | |
| Source Name: GROUNDWATER | | | | |
| Source Type: | GROUNDWATER | | | |
| 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> NENESE 1 7S 45E POWDER RIVER | | | |
| Diversion Means: | WELL | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | |
| Place of Use: | | | | |
| ID <u>Acres</u> Govt 1 | | | | |
| 1 1.00 | SWNWSW 6 7S 46E POWDER RIVER | | | |
| Total: 1.00 | | | | |

42C 180597-00 Page 2 of 2

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.

180593-00 180597-00

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 AND WATER RIGHT NO. 42C-48763 APPEAR TO BE REDUNDANT FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

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.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 180598-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE DANIEL J CAHOON | | | |
|---|---|--|--|--|
| | HC 59 BOX 5905 BROADUS, MT 59317 | | | |
| | JEANETTE M CAHOON HC 59 BOX 5905 BROADUS, MT 59317 | | | |
| *Priority Date: | DECEMBER 31, 1912 | | | |
| Type of Historical Righ | it: USE | | | |
| Purpose(use): | STOCK | | | |
| Flow Rate: | 5.00 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: | | | | |
| ID 1 Diversion Means: | NWSWNW 18 5S 48E POWDER RIVER | | | |
| *Period of Use: | JANUARY 1 TO DECEMBER 31 | | | |
| *Place of Use: | | | | |
| [*] Place of Use: <u>ID</u> <u>Acres</u> <u>Govt</u> 1 | Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWSWNW 18 5S 48E POWDER RIVER | | | |

Page 2 of 2

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 180599-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | | |
|---|---|--|--|--|--|--|
| Owners: | DONALD A OTTESEN HC 87 BOX 11 SONNETTE, MT 59348 | | | | | |
| | LUCILLE M OTTESEN HC 87 BOX 11 SONNETTE, MT 59348 | | | | | |
| Priority Date: | JANUARY 1, 1940 | | | | | |
| 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 TENMILE CREEK | | | | | |
| Source Type: | SURFACE WATER | | | | | |
| *Point of Diversion and Means of Diversion: | | | | | | |
| IDGovt1Period of DiversioDiversion Means: | Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> SESWSW 12 5S 47E POWDER RIVER n:JANUARY 1 TO DECEMBER 31 DAM | | | | | |

FEBRUARY 28, 2008 42C 180599-00 Page 2 of 2

| Reservoir: | ONSTREAM | | | |
|-------------------|----------------|--|-----------|--|
| | Govt Lot | <u>Qtr Sec</u> <u>Sec</u> SESWSW 12 | Twp 5S | Rge County 47E POWDER RIVER |
| Dept | h: | 10.00 FEET | | |
| Surf | ace Area: | 0.50 ACRES | | |
| Capa | acity: | 2.00 ACRE-FE | ET | |
| | THE DNR | , · | EIGHT, AI | ND SURFACE AREA HAVE BEEN ESTIMATED BY |
| Period of U | se: JAN | UARY 1 TO DECEM | 3ER 31 | |
| Place of Us | e: | | | |
| ID | Acres Govt Lot | <u>Qtr Sec</u> <u>Sec</u> | Twp | <u>Rge</u> <u>County</u> |
| 1 | | SESWSW 12 | 5S | 47E POWDER RIVER |
| - | | ION OF THIS CLA D THE WATER CO | | ND NO SIGNIFICANT FACTS, DATA, OR |

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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: | 42C 180600-00 STATEMENT OF CLAIM |
|--------------------------|--|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | DANIEL J CAHOON HC 59 BOX 5905 BROADUS, MT 59317 |
| | JEANETTE M CAHOON HC 59 BOX 5905 BROADUS, MT 59317 |
| Priority Date: | JUNE 1, 1948 |
| Type of Historical Right | :USE |
| Purpose(use): | IRRIGATION |
| Irrigation Type: | WATER SPREADING |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. |
| *Volume: | 4.00 AC-FT |
| | THE VOLUME OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 2.0 ACRE- FEET PER ACRE GUIDELINE FOR WATER SPREADING. THE VOLUME MAY BE CONTESTED BY PROPER OBJECTION. |
| Climatic Area: | 2 - MODERATELY HIGH |
| Maximum Acres: | 2.00 |
| Source Name: | DRY CREEK |
| Source Type: | SURFACE WATER |
| Point of Diversion and M | Jeans of Diversion: |
| <u>ID</u> <u>Govt I</u> | Lot <u>Qtr Sec Sec Twp Rge</u> County NESWNW 18 5S 48E POWDER RIVER |
| Diversion Means: | DIKE |
| Period of Use: | JANUARY 1 TO DECEMBER 31 |

FEBRUARY 28, 2008 42C 180600-00

Page 2 of 2

Place of Use:

| <u>ID</u> | Acres Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | Rge County |
|-----------|----------------|----------------|------------|-----|------------------|
| 1 | 2.00 | SWNW | 18 | 5S | 48E POWDER RIVER |
| Total: | 2.00 | | | | |
| | | | | | |

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

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

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| Water Right Number: | 42C 180601-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | | |
|--|---|--|--|--|--|--|
| Owners: | DANIEL J CAHOON HC 59 BOX 5905 BROADUS, MT 59317 | | | | | |
| | JEANETTE M CAHOON HC 59 BOX 5905 BROADUS, MT 59317 | | | | | |
| Priority Date: | AUGUST 1, 1953 | | | | | |
| Type of Historical Right | :USE | | | | | |
| Purpose(use): | IRRIGATION | | | | | |
| Irrigation Type: | WATER SPREADING | | | | | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. | | | | | |
| Volume: | 4.50 AC-FT | | | | | |
| Climatic Area | 2 - MODERATELY HIGH | | | | | |
| Maximum Acres: | 3.00 | | | | | |
| *Source Name: | SHEEP CREEK | | | | | |
| Source Type: | SURFACE WATER | | | | | |
| Point of Diversion and Means of Diversion: | | | | | | |
| ID Govt I | | | | | | |
| 1 | NWSWSW 18 5S 48E POWDER RIVER | | | | | |
| Diversion Means: 2 | DIKE SENWSW 18 5S 48E POWDER RIVER | | | | | |
| Diversion Means: | | | | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | | |

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Place of Use:

| <u>ID</u> | Acres Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | <u>Rge</u> <u>County</u> |
|-----------|----------------|----------------|------------|-----|--------------------------|
| 1 | 3.00 | W2SW | 18 | 5S | 48E POWDER RIVER |
| Total: | 3.00 | | | | |
| | | | | | |

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

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

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

IMPORTANT NOTICE

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| Water Right Number: | 42C 180602-00 Version: 1 Stat | ORIGINAL | | - CLAIM | | | | |
|--|---|-------------------------|------------------|--|--|--|--|--|
| Owners: | JOHN E HAMILTON HC 32 BOX 4356 MILES CITY, MT 59301 | | | | | | | |
| | VICTORIA L HA HC 32 BOX 435 MILES CITY, M | 6 | | | | | | |
| *Priority Date: | DECEMBER 31 | , 1933 | | | | | | |
| Type of Historical Right | :USE | | | | | | | |
| *Purpose(use): | MULTIPLE DOM | IESTIC | | | | | | |
| Flow Rate: | 10.00 GPM | | | | | | | |
| Volume: | 2.00 AC-FT | | | | | | | |
| Households: | 2 | | | | | | | |
| Source Name: | GROUNDWATE | IR | | | | | | |
| Source Type: | GROUND | WATER | | | | | | |
| Point of Diversion and M | Aeans of Diversion | a: | | | | | | |
| ID 1 Diversion Means: | SESE | Sec Sec SW 30 | <u>Twp</u> 2N | RgeCounty45ECUSTER | | | | |
| Period of Use: | JANUARY 1 TC | DECEMBE | R 31 | | | | | |
| Place of Use: <u>ID Acres Govt I</u> 1 | <u>.ot Qtr</u> SESE | <u>Sec Sec</u> SW 30 | <u>Twp</u> 2N | <u>Rge</u> <u>County</u> 45E CUSTER | | | | |
| I | 5E5E | 500 50 | 211 | HUL COUTLIN | | | | |

42C 180602-00 Page 2 of 2

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. 180295-00 180602-00

100293-00 100002-00

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

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

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IMPORTANT NOTICE

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| Water Right Number: | 42C 18060 Version: | 3-00 ST 1 ORIG Status: | INAL F | | F CLA | IM | | |
|--|---|------------------------------|------------------|------------------|-------|-------------------------|--|--|
| Owners: | JOHN E HAMILTON HC 32 BOX 4356 MILES CITY, MT 59301 | | | | | | | |
| | VICTORIA HC 32 BOX MILES CITY | 4356 | | | | | | |
| *Priority Date: | MAY 31, 19 |)24 | | | | | | |
| Type of Historical Right | :USE | | | | | | | |
| *Purpose(use): | MULTIPLE | DOMEST | IC | | | | | |
| Flow Rate: | 3.00 GPM | | | | | | | |
| Volume: | 2.00 AC-FT | - | | | | | | |
| Households: | 2 | | | | | | | |
| Source Name: | GROUNDW | /ATER | | | | | | |
| Source Type: | GROL | JNDWATE | ĪR | | | | | |
| Point of Diversion and N | Aeans of Dive | ersion: | | | | | | |
| $\frac{ID}{1}$ Govt I | SI | <u>Qtr Sec</u> ESESW | <u>Sec</u> 20 | <u>Twp</u> 2N | | <u>County</u> CUSTER | | |
| Diversion Means: Period of Use: | JANUARY [·] | | | D 21 | | | | |
| Period of Use: | JANUART | I TO DEC | | кэi | | | | |
| Place of Use: <u>ID</u> <u>Acres</u> <u>Govt I</u> 1 | | <u>Qtr Sec</u> ESESW | <u>Sec</u> 20 | <u>Twp</u> 2N | | <u>County</u> CUSTER | | |

42C 180603-00 Page 2 of 2

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. 180296-00 180603-00

100230-00 100003-00

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

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

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IMPORTANT NOTICE

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| Water Right Number: | 42C 180604-00 STATEMENT OF CLAIM | | | | | |
|---|---|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | | |
| | Status: ACTIVE | | | | | |
| Owners: | GARY L OCHSNER | | | | | |
| | HC 40 MILES CITY, MT 59301 | | | | | |
| | JAY D OCHSNER | | | | | |
| | HC 40 MILES CITY, MT 59301 | | | | | |
| | | | | | | |
| *Priority Date: | DECEMBER 31, 1915 | | | | | |
| *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: | GROUNDWATER | | | | | |
| Source Type: | GROUNDWATER | | | | | |
| | ALSO KNOWN AS HOUSE WELL | | | | | |
| *Point of Diversion and Means of Diversion: | | | | | | |
| <u>ID</u> <u>Govt</u> | | | | | | |
| 1 | SESWSE 30 7N 48E CUSTER | | | | | |
| Diversion Means: | | | | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | | |

FEBRUARY 28, 2008

42C 180604-00

Page 2 of 2

Place of Use:

| ID | Acres Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | Rge County |
|----|----------------|----------------|------------|-----|------------|
| 1 | | E2SWSE | 30 | 7N | 48E CUSTER |
| 2 | | NWNENE | 31 | 7N | 48E CUSTER |
| 3 | | NESWSW | 29 | 7N | 48E CUSTER |
| 4 | | SESESE | 30 | 7N | 48E CUSTER |

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.

180513-00 180604-00

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

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

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

Flow Rate:

PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 18060 |)5-00 STA | TEMENT OF CLAIM |
|--------------------------|-------------------------------------|---------------------------------|-----------------|
| | Version: | | |
| | | Status: | ACTIVE |
| Owners: | BEN KEIM HC 84 FORSYTH, | MT 59327 9 | 9801 |
| | | KEIM GUE RIVER MT 59327 9 | |
| | KATHRYN HC 84 FORSYTH, | KEIM MT 59327 9 | 9801 |
| | MARY KEI HC 84 BOX FORSYTH, | | 9713 |
| | | EIM GUE RIVER MT 59327 9 | |
| | PAVEX CO 4001 E MIC TUCSON, / | CHIGAN | |
| | ROBERT H HC 84 BOX FORSYTH, | | 9713 |
| Priority Date: | DECEMBE | R 3, 1963 | |
| *Type of Historical Righ | t: FILED | | |
| Purpose(use): | STOCK | | |

20.00 GPM

| FEBRUARY 28, 2008 | | Decree Report - Page 8862 |
|------------------------------|--|-------------------------------|
| 42C 180605-00 | | |
| Page 2 of 2 | | |
| *Volume: | THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTI STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONAL CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY SOURCE. | S PER DAY PER BLE CARRYING |
| Source Name: | GROUNDWATER | |
| Source Type: | GROUNDWATER | |
| | ALSO KNOWN AS WELL NO. 24S | |
| 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> SENESW 3 2S 44E ROSEBUD | |
| 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> <u>County</u> | |
| 1 | NESW 3 2S 44E ROSEBUD | |
| THE DNRC EXAM | INATION OF THIS CLAIM FOUND NO SIGNIFICANT FACT RT TO THE WATER COURT. | |

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 180606-00 STATEMENT OF CLAIM | | | | | |
|--|---|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | | |
| | Status: ACTIVE | | | | | |
| Owners: | DAVID BORNTRAGER 215 AMISH LANE FORSYTH, MT 59327 | | | | | |
| | JOE BORNTRAGER 215 AMISH LANE FORSYTH, MT 59327 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, 1963 | | | | | |
| *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: | GROUNDWATER | | | | | |
| Source Type: | GROUNDWATER | | | | | |
| | ALSO KNOWN AS WELL # 23S | | | | | |
| Point of Diversion and Means of Diversion: | | | | | | |
| <u>ID</u> <u>Govt</u> | | | | | | |
| 1 Dimension Meaner | SESENE 4 2S 44E ROSEBUD | | | | | |
| Diversion Means: Period of Use: | WELL JANUARY 1 TO DECEMBER 31 | | | | | |
| I CITOU OI USE: | JANUART I TO DECENIDER 31 | | | | | |

Place of Use:

Page 2 of 2

| <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 | | NE | 4 | 2S | 44E ROSEBUD |

Remarks:

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

THE PRIORITY DATE 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.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 180607-00 STATEMENT OF CLAIM | | | | | | | |
|----------------------------------|---|------------------------|------------------|------------------|-------|--------------------------|--|--|
| | | 1 ORI(| | | | | | |
| | | Status: | AC | CTIVE | | | | |
| Owners: | ABE YODE HC 84 BOX FORSYTH, | 2084 | 7 | | | | | |
| *Priority Date: | | NOVEMBER 7, 1967 | | | | | | |
| *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: | GROU | NDWAT | ER | | | | | |
| | ALSO KNO | WN AS V | VELLN | NUMBER | R 26S | | | |
| Point of Diversion and M | Means of Dive | rsion: | | | | | | |
| ID Govt 1 | | <u>Qtr Sec</u> SWSE | <u>Sec</u> 33 | <u>Twp</u> 1S | | <u>County</u> ROSEBUD | | |
| Diversion Means: | WELL | | | | | | | |
| *Period of Use: | OCTOBER | 1 TO AP | RIL 1 | | | | | |
| *Place of Use: | | | | | | | | |
| ID <u>Acres</u> Govt I | | <u>Qtr Sec</u> | <u>Sec</u> | Twp | | County | | |
| 1 | SE | SWSE | 33 | 1S | 44E | ROSEBUD | | |

Remarks:

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

THE PRIORITY DATE 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.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C 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: | 42C 180608-00 STATEMENT OF CLAIM | | | | | | |
|---|---|--|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | | | |
| | Status: ACTIVE | | | | | | |
| Owners: | JERRY W GARRISON BOX 285 RANCHESTER, WY 82839 | | | | | | |
| | | | | | | | |
| Priority Date: | OCTOBER 14, 1967 | | | | | | |
| *Type of Historical Right | *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: | GROUNDWATER | | | | | | |
| Source Type: | GROUNDWATER | | | | | | |
| | ALSO KNOWN AS WELL 25S | | | | | | |
| Point of Diversion and N | Means of Diversion: | | | | | | |
| ID Govt I 1 | Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWSWSW 34 1S 44E ROSEBUD | | | | | | |
| Diversion Means: | | | | | | | |
| Period of Use: | OCTOBER 1 TO APRIL 1 | | | | | | |
| Place of Use: | | | | | | | |
| ID Acres Govt I | Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> | | | | | | |
| 1 | SWSWSW 34 1S 44E ROSEBUD | | | | | | |
| THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT. | | | | | | | |

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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."

PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 1806 | 09-00 S | TATE | MENT O | F CLA | IM | |
|-------------------------------|---|--------------------------|-----------------|------------------|-------|--------------------------|--|
| | Version: | 1 ORI0 | GINAL | RIGHT | | | |
| | | Status: | AC | CTIVE | | | |
| Owners: | David BC 215 Amisi Forsyth | H LANE | | | | | |
| | JOE BOR 215 AMISH FORSYTH | H LANE | | | | | |
| *Priority Date: | DECEMBE | ER 31, 193 | 30 | | | | |
| Type of Historical Right | t:USE | | | | | | |
| Purpose(use): | STOCK | | | | | | |
| Flow Rate: | 30.00 GPN | 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: | GROUND | VATER | | | | | |
| Source Type: | GRO | UNDWAT | ER | | | | |
| | ALSO KNO | OWN AS V | VELL # | #1A | | | |
| Point of Diversion and I | Means of Div | version: | | | | | |
| $\frac{\mathbf{ID}}{1}$ Govt | 1 | <u>Qtr Sec</u> NESENE | <u>Sec</u> 4 | <u>Twp</u> 2S | | <u>County</u> ROSEBUD | |
| Diversion Means: | WELL | | | | | | |
| Period of Use: | JANUARY | 1 TO DEC | CEMBE | ER 31 | | | |
| Place of Use: | | | | | | | |
| <u>ID</u> <u>Acres Govt 1</u> | Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | | County | |
| 1 | | S2NE | 4 | 2S | 44E | ROSEBUD | |

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 180610-00 STATEMENT OF CLAIM | | | | | |
|--------------------------|---|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | | |
| | Status: ACTIVE | | | | | |
| Owners: | ALAN SEE PO BOX 511 ASHLAND, MT 59003 | | | | | |
| | CONSTANCE A SEE PO BOX 511 ASHLAND, MT 59003 | | | | | |
| *Priority Date: | DECEMBER 31, 1911 | | | | | |
| Type of Historical Righ | t: USE | | | | | |
| 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 | | | | | |
| | ALSO KNOWN AS WELL 21 | | | | | |
| Point of Diversion and I | Means of Diversion: | | | | | |
| <u>ID</u> <u>Govt</u> | Lot <u>Qtr Sec Sec Twp Rge County</u> NWSESE 4 2S 44E ROSEBUD | | | | | |
| Diversion Means: | | | | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | | |

42C 180610-00

Page 2 of 2

Place of Use:

| <u>ID</u> | Acres Govt Lot | <u>Qtr Sec</u> | Sec | Twp | Rge County |
|-----------|----------------|----------------|-----|-----|-------------|
| 1 | | S2 | 4 | 2S | 44E ROSEBUD |
| 2 | | N2N2 | 9 | 2S | 44E ROSEBUD |

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.

180610-00 180612-00

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

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

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| Water Right Number: | 42C 180611-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | | | | |
|---|--|--|--|--|--|--|--|--|
| Owners: | DAVID BORNTRAGER 215 AMISH LANE FORSYTH, MT 59327 | | | | | | | |
| | JOE BORNTRAGER 215 AMISH LANE FORSYTH, MT 59327 | | | | | | | |
| *Priority Date: | DECEMBER 31, 1930 | | | | | | | |
| Type of Historical Right | FILED | | | | | | | |
| *Purpose(use): Flow Rate: | MULTIPLE DOMESTIC 4.00 GPM | | | | | | | |
| Volume: | 4.00 AC-FT | | | | | | | |
| Households: | 4 | | | | | | | |
| Source Name: Source Type: | GROUNDWATER GROUNDWATER ALSO KNOWN AS WELL # 1A | | | | | | | |
| Point of Diversion and N | | | | | | | | |
| $\frac{\mathbf{ID}}{1} \qquad \qquad \mathbf{Govt I}$ | <u>ot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NESENE 4 2S 44E ROSEBUD | | | | | | | |
| Diversion Means: | WELL | | | | | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | | | | |
| Place of Use: <u>ID Acres Govt I</u> 1 | ot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> S2NE 4 2S 44E ROSEBUD | | | | | | | |

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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 Rig | ht Number: | 42C 180612-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | | | |
|----------------|---------------------|--|----------------------------|------------|-----------------|------------------|-----|--------------------------|
| Owners: | | PO B | I SEE OX 511 AND, MT | | _ | | | |
| | | CONSTANCE A SEE PO BOX 511 ASHLAND, MT 59003 | | | | | | |
| *Priority D | Date: | DECEMBER 31, 1911 | | | | | | |
| Type of H | listorical Right | Right: USE | | | | | | |
| *Purpose(u | ıse): | MULTIPLE DOMESTIC | | | | | | |
| Flow Rate | e: | 3.00 GPM | | | | | | |
| Volume: | | 3.25 AC-FT | | | | | | |
| | Households: | 2 | | | | | | |
| Maximun | n Acres: | 0.50 | | | | | | |
| Source Na | ame: | GRO | JNDWAT | ER | | | | |
| Source | e Type: | GROUNDWATER | | | | | | |
| | | ALSC |) KNOWN | AS V | VELL 2 | 1 | | |
| Point of I | Diversion and N | Aeans o | of Diversio | n: | | | | |
| $\frac{ID}{1}$ | <u>Govt I</u> | Lot | <u>Qtr</u> NWSI | <u>Sec</u> | <u>Sec</u> 4 | <u>Twp</u> 2S | | <u>County</u> ROSEBUD |
| Dive | ersion Means: | WEL | | _0_ | · | 20 | | 1002202 |
| Period of | Use: | JANUARY 1 TO DECEMBER 31 | | | | | | |
| Place of U | Jse: | | | | | | | |
| ID | <u>Acres</u> Govt I | <u>lot</u> | Qtr | · Sec | Sec | Twp | Rge | <u>County</u> |
| 1 | 0.50 | | NWS | ESE | 4 | 2S | 44E | ROSEBUD |

FEBRUARY 28, 2008 42C 180612-00

Page 2 of 2

| Place of Use: | | | | | | | |
|---------------|-----------------------|----------------|------------|-----|--------------------------|--|--|
| ID | <u>Acres</u> Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | <u>Rge</u> <u>County</u> | | |
| Total: | 0.50 | | | | | | |

Remarks:

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

180610-00 180612-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/15/2006: VOLUME.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 1806 | 92-00 STA | TEMENT OF CI | _AIM |
|--------------------------|--------------|-------------------------------------|--------------|-----------------------|
| | Version: | 1 ORIGIN | | |
| | | Status: | WITHDRAWN | |
| Owners: | HC 30 BO | CATTLE CO X 8071 IY, MT 59301 | I | |
| Priority Date: | | | | |
| Enforceable Price | ority Date: | | | |
| Type of Historical Right | t : | | | |
| Purpose (use): | STOCK | | | |
| Flow Rate: | | | | |
| Volume: | | | | |
| Source Name: | SPRING, I | JNNAMED 1 | RIBUTARY OF | MILL CREEK, EAST FORK |
| Point of Diversion and I | Means of Div | ersion: | | |
| Period of Use: | | | | |
| Place of Use: | | | | |
| Remarks: | | | | |

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 11/3/2006.

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: | 42C 18069 | ГАТЕМЕ | ATEMENT OF CLAIM | | | | |
|-------------------------------|--|----------------|------------------|------|------------|--|--|
| | Version: | 1 ORIG | INAL R | IGHT | | | |
| | | Status: | ACT | IVE | | | |
| Owners: | ADAMS RANCH AT PUMPKIN CREEK INC 88 OLD ROXBURY ROAD ROXBURY, CT 06783 | | | | | | |
| Priority Date: | MARCH 22 | , 1946 | | | | | |
| Type of Historical Right: USE | | | | | | | |
| Purpose(use): | DOMESTIC |) | | | | | |
| Flow Rate: | 5.00 GPM | | | | | | |
| Volume: | 1.50 AC-F1 | Г | | | | | |
| Households: | 1 | | | | | | |
| Source Name: | GROUNDV | VATER | | | | | |
| Source Type: | GRO | JNDWATE | R | | | | |
| Point of Diversion and N | leans of Dive | ersion: | | | | | |
| <u>ID</u> <u>Govt I</u> | | <u>Qtr Sec</u> | | Twp | | | |
| 1 | | IENESE | 31 | 4N | 47E CUSTER | | |
| Diversion Means: | | | | | | | |
| Period of Use: | JANUARY | 1 TO DEC | EMBER | 31 | | | |
| Place of Use: | | | | | | | |
| ID Acres Govt I | <u>.ot</u> | <u>Qtr Sec</u> | Sec | Twp | Rge County | | |
| 1 | 7 N | IENESE | 31 | 4N | 47E CUSTER | | |

42C 180693-00 Page 2 of 2

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.

178860-00 180693-00

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF 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: | 42C 180694-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | |
|---------------------------|---|--|--|--|--|
| Owners: | ADAMS RANCH AT PUMPKIN CREEK INC 88 OLD ROXBURY ROAD ROXBURY, CT 06783 | | | | |
| *Priority Date: | DECEMBER 31, 1946 | | | | |
| Type of Historical Right | :USE | | | | |
| Purpose(use): | IRRIGATION | | | | |
| Irrigation Type: | WATER SPREADING | | | | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. | | | | |
| Volume: | 15.00 AC-FT | | | | |
| Climatic Area | : 1 - HIGH | | | | |
| Maximum Acres: | 15.00 | | | | |
| Source Name: | UNNAMED TRIBUTARY OF HADDOW 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> NWSWSW 32 4N 47E CUSTER | | | | |
| Diversion Means: | DIKE | | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | |
| Place of Use: | | | | | |
| ID <u>Acres Govt I</u> | | | | | |
| 1 15.00 | NWSW 32 4N 47E CUSTER | | | | |
| Total: 15.00 | | | | | |

Remarks:

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

USDA AERIAL PHOTOGRAPH NO(S). 278-176B , DATED 09/15/1978 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

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."

PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C 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: | 42C 18070 | 01-00 S | TATEN | IENT O | F CLA | IM | | |
|---|---|-------------------------|------------------|------------------|-------|-------------------------|--|--|
| | Version: | 1 ORIO | GINAL I | RIGHT | | | | |
| | | Status: | AC | TIVE | | | | |
| Owners: | MURRAY (HC 30 BO) MILES CIT | K 8071 | | | | | | |
| *Priority Date: | DECEMBE | DECEMBER 31, 1956 | | | | | | |
| Type of Historical Right: USE | | | | | | | | |
| Purpose(use): | STOCK | | | | | | | |
| Flow Rate: | 1.50 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, L | INNAMED | TRIB | UTARY | OF M | ILL CREEK | | |
| Source Type: | GRO | UNDWAT | ER | | | | | |
| Point of Diversion and M | Means of Div | ersion: | | | | | | |
| $\frac{ID}{1}$ Govt 1 | | <u>Qtr Sec</u> ENWSE | <u>Sec</u> 20 | <u>Twp</u> 7N | | <u>County</u> CUSTER | | |
| Diversion Means: | SPRING B | OX | | | | | | |
| Period of Use: | MARCH 15 | 5 TO DEC | EMBEF | R 15 | | | | |
| Place of Use: | | | | | | | | |
| ID <u>Acres Govt I</u> | | <u>Qtr Sec</u> | <u>Sec</u> | Twp | Rge | County | | |
| 1 | - | ENWSE | 20 | 7N | | CUSTER | | |
| THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT. | | | | | | | | |

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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."

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: | 42C 1807 | 02-00 S | TATEM | IENT O | F CLA | IM | |
|----------------------------|------------------------------------|-------------------------|------------------|------------------|-------|-------------------------|--|
| | Version: | 1 ORI0 | GINAL | RIGHT | | | |
| | | Status: | AC | TIVE | | | |
| Owners: | MURRAY (HC 30 BO) MILES CIT | X 8071 | | | | | |
| *Priority Date: | DECEMBE | R 31, 195 | 6 | | | | |
| *Type of Historical Right | t: FILED | | | | | | |
| Purpose(use): | DOMESTIC | C | | | | | |
| Flow Rate: | 7.00 GPM | | | | | | |
| Volume: | 3.00 AC-F | Г | | | | | |
| Households: | 1 | | | | | | |
| Maximum Acres: | 1.00 | | | | | | |
| Source Name: | GROUNDV | VATER | | | | | |
| Source Type: | GRO | UNDWAT | ER | | | | |
| Point of Diversion and I | Means of Div | ersion: | | | | | |
| $\frac{\text{ID}}{1}$ Govt | | <u>Qtr Sec</u> ENWNE | <u>Sec</u> 19 | <u>Twp</u> 7N | | <u>County</u> CUSTER | |
| Diversion Means: | WELL | | 13 | / 1 1 | 49L | COSTER | |
| Period of Use: | JANUARY | 1 TO DEC | CEMBE | R 31 | | | |
| Place of Use: | | | | | | | |
| ID Acres Govt 1 | Lot | <u>Qtr Sec</u> | Sec | Twp | Rge | County | |
| 1 1.00 | S | ENWNE | 19 | 7N | 49E | CUSTER | |
| Total: 1.00 | | | | | | | |
| 5 | | | | | | | |

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 180703-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | |
|---|---|--|--|
| Owners: | DONALD A OTTESEN HC 87 BOX 11 SONNETTE, MT 59348 | | |
| | LUCILLE M OTTESEN HC 87 BOX 11 SONNETTE, MT 59348 | | |
| *Priority Date: | JANUARY 1, 1942 | | |
| 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 SUGAR RUN | | |
| Source Type: | SURFACE WATER | | |
| *Point of Diversion and Means of Diversion: | | | |
| <u>ID</u> <u>Govt</u> | | | |
| 1 Period of Diversio | 6 SENE 12 5S 47E POWDER RIVER n:JANUARY 1 TO DECEMBER 31 | | |
| Diversion Means: | DAM | | |

FEBRUARY 28, 2008 42C 180703-00 Page 2 of 2

| *Reservoir: | ONSTREAM | | | | |
|--------------|---------------------------------|------------------------|------------------|------------------|--|
| | Govt Lot 6 | <u>Qtr Sec</u> SENE | <u>Sec</u> 12 | <u>Twp</u> 5S | Rge County 47E POWDER RIVER |
| Dept | h: | 10.00 FEET | - | | |
| Surfa | ace Area: | 0.50 ACRI | ES | | |
| Capa | city: | 2.00 ACRI | E-FEE | Г | |
| | THE C. DNRC. | , | M HEI | GHT, AN | ND SURFACE AREA HAVE BEEN ESTIMATED BY |
| Period of Us | se: JANUA | RY 1 TO DEC | EMBE | R 31 | |
| Place of Use | : | | | | |
| <u>ID</u> | <u>Acres Govt Lot</u> | <u>Qtr Sec</u> | <u>Sec</u> | Twp | <u>Rge</u> <u>County</u> |
| 1 | 6 | SENE | 12 | 5S | 47E POWDER RIVER |
| - | RC EXAMINATIO FO REPORT TO 1 | | | | ND NO SIGNIFICANT FACTS, DATA, OR |

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 180709-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | |
|---|--|-----|
| Owners: | JAMES E LEI HC 71 BOX 1200 ASHLAND, MT 59003 | |
| Priority Date: | JULY 15, 1951 | |
| Type of Historical Right | :USE | |
| Purpose(use): | IRRIGATION | |
| Irrigation Type: | WATER SPREADING | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS UCONSISTS OF DIRECT FLOW WATER SPREADING. | JSE |
| Volume: | 27.00 AC-FT | |
| Climatic Area | 2 - MODERATELY HIGH | |
| Maximum Acres: | 25.00 | |
| Source Name: | TAYLOR CREEK, NORTH FORK | |
| Source Type: | SURFACE WATER | |
| *Point of Diversion and N | Aeans of Diversion: | |
| $\frac{\mathbf{ID}}{1} \qquad \qquad \mathbf{Govt I}$ | $\frac{\text{Lot}}{\text{SW}} = \frac{\text{Qtr Sec}}{31} = \frac{\text{Sec}}{6\text{S}} = \frac{\text{Twp}}{6\text{S}} = \frac{\text{Rge}}{47\text{E}} = \frac{\text{County}}{\text{POWDER RIVER}}$ | |
| Diversion Means: | DIKE | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | |
| Place of Use: | | |
| ID Acres Govt I | | |
| 1 25.00 | SW 31 6S 47E POWDER RIVER | |
| Total: 25.00 | | |

Remarks:

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

180709-00 180710-00 180711-00

POINT OF DIVERSION AND PLACE OF USE ARE LOCATED IN HOMESTEAD ENTRY SURVEY NO. 209.

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

THE POWDER RIVER COUNTY WATER RESOURCES SURVEY (1961) APPEARS TO INDICATE 60 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 278-107 , DATED 7/26/1978 , APPEARS TO INDICATE 55 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

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

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

IMPORTANT NOTICE

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| Water Right Number: | 42C 180710-00 STATEMENT OF CLAIM |
|---------------------------|---|
| | Version: 1 ORIGINAL RIGHT |
| Owners: | Status: ACTIVE JAMES E LEI |
| Owners. | HC 71 BOX 1200 ASHLAND, MT 59003 |
| Priority Date: | AUGUST 15, 1940 |
| Type of Historical Right | :USE |
| Purpose(use): | IRRIGATION |
| Irrigation Type: | WATER SPREADING |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. |
| Volume: | 15.00 AC-FT |
| Climatic Area | 2 - MODERATELY HIGH |
| Maximum Acres: | 30.00 |
| Source Name: | UNNAMED TRIBUTARY OF TAYLOR CREEK, NORTH FORK |
| Source Type: | SURFACE WATER |
| *Point of Diversion and M | Aeans of Diversion: |
| $\frac{ID}{1}$ Govt I | |
| • | SW 31 6S 47E POWDER RIVER DIVERSION DAM |
| Period of Use: | JANUARY 1 TO DECEMBER 31 |
| Place of Use: | |
| ID <u>Acres Govt I</u> | Lot <u>Qtr Sec Sec Twp Rge</u> County |
| 1 30.00 | SW 31 6S 47E POWDER RIVER |
| 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.

180709-00 180710-00 180711-00

POINT OF DIVERSION AND PLACE OF USE ARE LOCATED IN HOMESTEAD ENTRY SURVEY NO. 209.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 180711-00 STATEMENT OF CLAIM | | | |
|----------------------------------|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | |
| | Status: ACTIVE | | | |
| Owners: | JAMES E LEI HC 71 BOX 1200 ASHLAND, MT 59003 | | | |
| Priority Date: | AUGUST 10, 1940 | | | |
| Type of Historical Right | :USE | | | |
| Purpose(use): | IRRIGATION | | | |
| Irrigation Type: | WATER SPREADING | | | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. | | | |
| *Volume: | 30.00 AC-FT | | | |
| | THE VOLUME OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 2.0 ACRE- FEET PER ACRE GUIDELINE FOR WATER SPREADING. THE VOLUME MAY BE CONTESTED BY PROPER OBJECTION. | | | |
| Climatic Area | : 2 - MODERATELY HIGH | | | |
| Maximum Acres: | 15.00 | | | |
| Source Name: | UNNAMED TRIBUTARY OF TAYLOR CREEK, NORTH FORK | | | |
| Source Type: | SURFACE WATER | | | |
| Point of Diversion and N | Means of Diversion: | | | |
| \underline{ID} <u>Govt 1</u> | | | | |
| 1 Diversion Meanst | 28 SW 31 6S 47E POWDER RIVER DIVERSION DAM | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | |
| | | | | |
| Place of Use: ID Acres Govt I | Lot Qtr Sec Sec Twp Rge County | | | |
| 1 15.00 | SW 31 6S 47E POWDER RIVER | | | |

FEBRUARY 28, 2008

42C 180711-00

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Place of Use:

| ĪD | <u>Acres</u> Govt Lot | <u>Qtr Sec</u> | Sec | Twp | Rge | County | |
|----|-----------------------|----------------|-----|-----|-----|---------------|--|
| | 45.00 | | | | | | |

Total: 15.00

THE PLACE OF USE IS LOCATED IN HOMESTEAD ENTRY SURVEY NO. 209.

Remarks:

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

180709-00 180710-00 180711-00

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

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

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

IMPORTANT NOTICE

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| Water Right Number: | 42C 180712-00 STATEMENT OF CLAIM |
|---------------------------|---|
| | Version: 1 ORIGINAL RIGHT |
| Owners: | Status:ACTIVEJAMES E LEIHC 71 BOX 1200ASHLAND, MT 59003 |
| Priority Date: | OCTOBER 12, 1915 |
| Type of Historical Right | :USE |
| Purpose(use): | IRRIGATION |
| Irrigation Type: | WATER SPREADING |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. |
| Volume: | 7.50 AC-FT |
| Climatic Area: | 2 - MODERATELY HIGH |
| Maximum Acres: | 5.00 |
| Source Name: | UNNAMED TRIBUTARY OF TAYLOR CREEK, NORTH FORK |
| Source Type: | SURFACE WATER |
| *Point of Diversion and N | Aeans of Diversion: |
| ID 1 Govt I | SWNWSE 35 6S 46E POWDER RIVER |
| | DIVERSION DAM |
| Period of Use: | JANUARY 1 TO DECEMBER 31 |
| Place of Use: | |
| ID Acres Govt I | |
| 1 5.00 | SWNWSE 35 6S 46E POWDER RIVER |
| Total: 5.00 | |

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF 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: | 42C 180713-00 STATEMENT OF CLAIM | | | |
|--------------------------------------|---|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | |
| | Status: ACTIVE | | | |
| Owners: | JAMES E LEI HC 71 BOX 1200 ASHLAND, MT 59003 | | | |
| Priority Date: | OCTOBER 12, 1915 | | | |
| Type of Historical Right | t: USE | | | |
| Purpose(use): | IRRIGATION | | | |
| Irrigation Type: | WATER SPREADING | | | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. | | | |
| Volume: | 18.00 AC-FT | | | |
| Climatic Area | : 2 - MODERATELY HIGH | | | |
| Maximum Acres: | 12.00 | | | |
| *Source Name: | UNNAMED TRIBUTARY OF TAYLOR CREEK, NORTH FORK | | | |
| Source Type: | SURFACE WATER | | | |
| *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> NESESW 35 6S 46E POWDER RIVER | | | |
| Diversion Means: | DIKE | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | |
| Place of Use: | | | | |
| <u>ID</u> <u>Acres</u> <u>Govt I</u> | Lot <u>Qtr Sec Sec Twp Rge</u> County | | | |
| 1 4.00 | N2SESW 35 6S 46E POWDER RIVER | | | |
| 2 8.00 | S2NESW 35 6S 46E POWDER RIVER | | | |
| Total: 12.00 | | | | |

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF 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: Owners: | 42C 180714-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE JAMES E LEI HC 71 BOX 1200 ASHLAND, MT 59003 |
|--|---|
| Priority Date: | OCTOBER 12, 1915 |
| 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: Source Type: | TAYLOR CREEK, NORTH FORK SURFACE WATER |
| *Point of Diversion and I | Means of Diversion: |
| ID Govt | S2 35 6S 46E POWDER RIVER |
| Diversion Means: | LIVESTOCK DIRECT FROM SOURCE |
| Period of Use: | JANUARY 1 TO DECEMBER 31 |
| Place of Use: <u>ID</u> <u>Acres</u> <u>Govt</u> 1 | Lot <u>Qtr Sec Sec Twp Rge County</u> S2 35 6S 46E POWDER RIVER |

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 180715-00 STATEMENT OF CLAIM |
|--------------------------|--|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | CHEYENNE CATTLE CO 3080 HWY 59 SOUTH MILES CITY, MT 59301 |
| | MAYNARD R BORNER HC 32 BOX 4085 MILES CITY, MT 59301 |
| | OPAL W BORNER HC32 BOX 4085 MILES CITY, MT 59301 9601 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 31, 1934 |
| Type of Historical Right | :USE |
| Purpose(use): | IRRIGATION |
| Irrigation Type: | WATER SPREADING |
| Flow Rate: | 12.50 CFS |
| Volume: | 656.00 AC-FT |
| Climatic Area | : 1 - HIGH |
| Maximum Acres: | 328.00 |
| Source Name: | PUMPKIN 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 | <u>Rge</u> <u>County</u> | | |
|--------------------|-------------------|--------------------|-----|-----|--------------------------|--|--|
| 1 | | SWSWNE | 29 | 6N | 48E CUSTER | | |
| Diversion N | Ieans: HEA | DGATE | | | | | |
| 2 | | NESWNW | 28 | 6N | 48E CUSTER | | |
| Diversion N | Ieans: HEA | DGATE | | | | | |
| 3 | | NWSESW | 28 | 6N | 48E CUSTER | | |
| Diversion N | Ieans: HEA | HEADGATE | | | | | |
| 4 | | NWNENE | 33 | 6N | 48E CUSTER | | |
| Diversion N | Ieans: HEA | DGATE | | | | | |
| 5 | | NW | 33 | 6N | 48E CUSTER | | |
| Diversion N | Ieans: PUM | P | | | | | |
| 6 | | NW | 34 | 6N | 48E CUSTER | | |
| Diversion N | Ieans: PUM | PUMP | | | | | |
| Period of Use: | MAY | MAY 1 TO OCTOBER 1 | | | | | |

Place of Use:

| ID | Acres Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | <u>Rge</u> <u>County</u> |
|--------|----------------|----------------|------------|-----|--------------------------|
| 1 | 60.00 | NW | 34 | 6N | 48E CUSTER |
| 2 | 84.00 | N2 | 33 | 6N | 48E CUSTER |
| 3 | 17.50 | SE | 28 | 6N | 48E CUSTER |
| 4 | 51.70 | SW | 28 | 6N | 48E CUSTER |
| 5 | 114.80 | E2 | 29 | 6N | 48E CUSTER |
| Total: | 328.00 | | | | |

Remarks:

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

THE CUSTER COUNTY WATER RESOURCES SURVEY (1948) APPEARS TO INDICATE 393 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 378-17 & 178-123 , DATED 10/9/1978 & 7/30/1978 , APPEARS TO INDICATE 328 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." FEBRUARY 28, 2008 42C 180715-00 Page 3 of 3

PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 180716-00 STATEMENT OF CLAIM | | | | | |
|--------------------------|--|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | | |
| | Status: ACTIVE | | | | | |
| Owners: | CAROLYN R MATHISON HC 40 BOX 6135 MILES CITY, MT 59301 8801 | | | | | |
| | DUANE K MATHISON HC 40 BOX 6135 MILES CITY, MT 59301 8801 | | | | | |
| Priority Date: | DECEMBER 31, 1949 | | | | | |
| Type of Historical Right | USE | | | | | |
| Purpose(use): | IRRIGATION | | | | | |
| Irrigation Type: | FLOOD | | | | | |
| *Flow Rate: | 433.50 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: | 1 - HIGH | | | | | |
| Maximum Acres: | 25.50 | | | | | |
| Source Name: | TONGUE RIVER | | | | | |
| Source Type: | SURFACE WATER | | | | | |
| Point of Diversion and N | Jeans of Diversion: | | | | | |
| <u>ID</u> <u>Govt I</u> | | | | | | |
| 1 | N2NESW 29 6N 48E CUSTER | | | | | |
| Diversion Means: | DIVERSION DAM | | | | | |
| Ditch Name: | TONGUE AND YELLOWSTONE RIVER IRRIGATION DISTRICT CANAL | | | | | |
| Period of Use: | | | | | | |

FEBRUARY 28, 2008 42C 180716-00

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Place of Use:

| ID | Acres Govt Lot | <u>Qtr Sec</u> | Sec | Twp | Rge County |
|--------|----------------|----------------|-----|-----|------------|
| 1 | 25.50 | SW | 13 | 7N | 47E CUSTER |
| Total: | 25.50 | | | | |

Remarks:

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

THIS CLAIM APPEARS TO BE FOR WATER PROVIDED BY THE T&Y IRRIGATION DISTRICT UNDER CLAIM NO. 42C 40137. IRRIGATED ACRES APPEAR TO BE OUTSIDE THE T&Y SERVICE AREA AND ARE CLAIMED AS EXCESS WATER. THIS CLAIM APPEARS TO BE REDUNDANT.

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 LAND OWNED BY MITCHELL AND RACHEL GUNDLACH.

USDI AERIAL PHOTOGRAPH NO. MA 13 184 , DATED 09/09/1946 , APPEARS TO INDICATE 16.5 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 TONGUE RIVER WITH A PRIORITY DATE POSTDATING CASE NO. 2809 CUSTER 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."

4

20.00

4

PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C 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."

1N 44E ROSEBUD

| Water Rig | ht Number: | 42C 1815 | 33-00 S | TATEM | IENT O | F CLAIM | | |
|----------------------|-----------------------|--------------------------|--|------------|---------------|---------------------------------|--|--|
| | | Version: | 1 ORIO Status: | | RIGHT TIVE | | | |
| *Owners: | | PO BOX 8 | SADIE F BREWER PO BOX 885 BAKER, MT 59313 0885 | | | | | |
| *Priority D | ate: | JUNE 20, | JUNE 20, 1903 | | | | | |
| Type of Hi | istorical Right | DECREE | C | | | | | |
| Purpose(u | se): | IRRIGATI | ON | | | | | |
| Irr | igation Type: | WATER S | PREADIN | G | | | | |
| Flow Rate | : | 16.40 CFS | 5 | | | | | |
| Volume: | | 400.00 AC-FT | | | | | | |
| | Climatic Area: | : 1 - HIGH | | | | | | |
| Maximum | faximum Acres: 125.00 | | | | | | | |
| Source Na | me: | GOODALI | E CREEK | | | | | |
| Source | Туре: | SUR | FACE WA | TER | | | | |
| Point of D | iversion and N | Aeans of Di | version: | | | | | |
| ID | <u>Govt I</u> | | <u>Qtr Sec</u> | <u>Sec</u> | | <u>Rge</u> <u>County</u> | | |
| 1 | • • • | | NESESW | 12 | 1N | 44E ROSEBUD | | |
| Dive *Period of V | rsion Means: | | 1 TO DE | | D 21 | | | |
| *Period of | Use: | JANUARI | TIODE | | RJI | | | |
| *Place of U | se: | | | | | | | |
| ID | Acres Govt I | <u>lot</u> | <u>Qtr Sec</u> | Sec | Twp | <u>Rge</u> <u>County</u> | | |
| 1 | 40.00 | | NENW | 12 | 1N | | | |
| 2 3 | 40.00 | 1 | SENW | 12 | | | | |
| 3 | 25.00 | 1 NWNW 12 1N 44E ROSEBUD | | | | | | |

SWNW

12

Page 2 of 2

*Place of Use:

| ID | <u>Acres</u> Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | <u>Rge</u> | <u>County</u> |
|--------|-----------------------|----------------|------------|-----|------------|---------------|
| 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.

177248-00 181533-00

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

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

THE CLAIMED FLOW RATE EXCEEDS THE 17 GPM PER ACRE GUIDELINE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. THE FLOW RATE EQUALS 59.00 GPM PER ACRE.

USDA AERIAL PHOTOGRAPH NO(S). 278-185 , DATED 9/15/1978 , APPEARS TO INDICATE 100 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). MA-29-30 , DATED 1944 , APPEARS TO INDICATE 100 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE COMBINED CLAIMED FLOW RATE FOR THIS GROUP OF SUPPLEMENTAL RIGHTS IS 70.4 GPM PER ACRE. THE FLOW RATE GUIDELINE FOR INDIVIDUAL CLAIMS IS 17 GPM PER ACRE.

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."

PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 181534-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | |
|----------------------------|---|--|--|--|--|
| Owners: | GARY L OCHSNER HC 40 MILES CITY, MT 59301 | | | | |
| | JAY D OCHSNER HC 40 MILES CITY, MT 59301 | | | | |
| *Priority Date: | APRIL 29, 1982 | | | | |
| | THIS IS AN EXISTING RIGHT. ITS POST-1973 PRIORITY DATE IS DECREED PURSUANT TO SECTION 85-2-306(4) MCA. | | | | |
| Type of Historical Right | I: 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: | GROUNDWATER | | | | |
| Source Type: | GROUNDWATER | | | | |
| Point of Diversion and I | Means of Diversion: | | | | |
| $\frac{\text{ID}}{1}$ Govt | | | | | |
| 1 Diversion Means: | SESWSE 30 7N 48E CUSTER WELL | | | | |
| Period of Use: | WELL JANUARY 1 TO DECEMBER 31 | | | | |
| | | | | | |

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Place of Use:

| <u>ID</u> | Acres Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | Rge County |
|-----------|----------------|----------------|------------|-----|------------|
| 1 | | SWSESE | 30 | 7N | 48E CUSTER |
| 2 | | SESESE | 30 | 7N | 48E CUSTER |
| 3 | | NESWSE | 30 | 7N | 48E CUSTER |
| 4 | | NWNENE | 31 | 7N | 48E CUSTER |
| 5 | | SESWSW | 29 | 7N | 48E CUSTER |

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.

180500-00 180514-00 181534-00

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 AND WATER RIGHT NO. 180500-00 APPEAR TO BE DUPLICATE FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE REDUNDANT FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED. 42C180500, 42C180514 AND 42C46854.

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.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 1815 | 35-00 S | TATEN | /ENT O | F CLA | IМ |
|---|----------------------------------|-------------------------|------------------|------------------|-------|-------------------------------|
| | Version: | 1 ORI0 | GINAL | RIGHT | | |
| | | Status: | AC | CTIVE | | |
| Owners: | CHERI L F PO BOX 1 BROADUS | 93 | 17 | | | |
| | WILLIAM H HC 59 BROADUS | | | | | |
| *Priority Date: | DECEMBE | ER 31, 195 | 55 | | | |
| Type of Historical Right | :USE | | | | | |
| Purpose(use): | DOMESTI | С | | | | |
| Flow Rate: | 5.00 GPM | | | | | |
| Volume: | 1.00 AC-F | т | | | | |
| Households: | 1 | | | | | |
| *Source Name: | GROUND | WATER | | | | |
| Source Type: | GRO | UNDWAT | ER | | | |
| *Point of Diversion and N | Means of Div | version: | | | | |
| $\frac{\text{ID}}{1}$ Govt 1 | | <u>Qtr Sec</u> WNESW | <u>Sec</u> 17 | <u>Twp</u> 8S | | <u>County</u> POWDER RIVER |
| Diversion Means: | _ | | | | = | |
| *Period of Use: | JANUARY | 1 TO DEC | CEMBE | R 31 | | |
| *Place of Use: | | | | | | |
| <u>ID</u> <u>Acres Govt I</u> | | <u>Qtr Sec</u> | <u>Sec</u> | Twp | Rge | County |
| 1 | | WNESW | 17 | 8S | | POWDER RIVER |
| THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT. | | | | | | |

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 181536-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | | |
|---|---|--|--|--|--|--|
| Owners: | CONSERVATION FUND 1655 N FORT MYER DR SUITE 1300 ARLINGTON, VA 22209 3199 | | | | | |
| *Priority Date: | APRIL 30, 1961 | | | | | |
| Type of Historical Right | t: USE | | | | | |
| Purpose(use): | STOCK | | | | | |
| Flow Rate: | 5.00 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 I | Means of Diversion: | | | | | |
| $\frac{\text{ID}}{1}$ Govt | | | | | | |
| 1 Diversion Means: | SENENW 8 5N 48E CUSTER WELL | | | | | |
| Period of Use: | APRIL 1 TO SEPTEMBER 30 | | | | | |
| | | | | | | |
| Place of Use: | Lat Otr Saa Saa Tum Dea Countr | | | | | |
| <u>ID</u> <u>Acres</u> <u>Govt</u>] 1 | LotQtr SecSecTwpRgeCountySENENW85N48ECUSTER | | | | | |

Remarks:

42C 181536-00

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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/02/1992: POINT OF DIVERSION, PLACE OF USE.

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

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

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

PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 181537-00 STATEMENT OF CLAIM | | | | | |
|--------------------------|--|-----------------------|-------|--------------------------|--|--|
| | Version: 1 Stat | | RIGHT | | | |
| | Sta | us: AC | | | | |
| Owners: | CONSERVATION FUND 1655 N FORT MYER DR SUITE 1300 ARLINGTON, VA 22209 3199 | | | | | |
| | MUTUAL LIFE INSURANCE OF NEW YORK 16216 BAXTER RD SUITE 250 CHESTERFIELD, MO 63017 | | | | | |
| *Priority Date: | DECEMBER 31 | , 1905 | | | | |
| Type of Historical Right | :USE | | | | | |
| Purpose(use): | DOMESTIC | | | | | |
| Flow Rate: | 1.50 GPM | | | | | |
| Volume: | 1.50 AC-FT | | | | | |
| Households: | 1 | | | | | |
| Maximum Acres: | 0.25 | | | | | |
| Source Name: | GROUNDWATE | R | | | | |
| Source Type: | GROUNDWATER | | | | | |
| Point of Diversion and N | Aeans of Diversion | 1: | | | | |
| ID Govt 1 | Lot Qtr | <u>Sec</u> <u>Sec</u> | Twp | <u>Rge</u> <u>County</u> | | |
| 1 | NENE | SE 2 | 5N | 48E CUSTER | | |
| Diversion Means: | | | | | | |
| Period of Use: | JANUARY 1 TC | DECEMBE | :R 31 | | | |
| Place of Use: | | | | | | |
| ID Acres Govt I | Lot Qtr | <u>Sec</u> <u>Sec</u> | Twp | <u>Rge</u> <u>County</u> | | |
| 1 0.25 | NENE | SE 2 | 5N | 48E CUSTER | | |
| Total: 0.25 | | | | | | |

Page 2 of 2

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 1815 | 61-00 S | TATEN | IENT O | F CLA | IM |
|--------------------------|---|----------------------|------------------|------------------|-------|-----------------------------------|
| | Version: | 1 ORI(| GINAL | RIGHT | | |
| | | Status: | AC | CTIVE | | |
| Owners: | T TRIANGI TONGUE F PO BOX 13 MILES CIT | RIVER ST 517 | AGE | IC | | |
| *Priority Date: | JUNE 1, 19 | 923 | | | | |
| Type of Historical Right | :FILED | | | | | |
| Purpose(use): | IRRIGATIO | DN | | | | |
| Irrigation Type: | WATER SI | PREADIN | G | | | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. | | | | | |
| Volume: | 750.00 AC | -FT | | | | |
| Climatic Area | : 1 - HIGH | | | | | |
| Maximum Acres: | 500.00 | | | | | |
| Source Name: | FOSTER C | REEK, N | ORTH | FORK | | |
| Source Type: | SUR | FACE WA | TER | | | |
| Point of Diversion and N | leans of Div | ersion: | | | | |
| ID Govt I | Lot | <u>Qtr Sec</u> S2 | <u>Sec</u> 34 | <u>Twp</u> 3N | | <u>County</u> CUSTER |
| Diversion Means: | DIKE | | | | | |
| 2 | | NE | 3 | 2N | 47E | CUSTER |
| Diversion Means: | DIKE | | | | | |
| 3 | DIVE | W2 | 2 | 2N | 47E | CUSTER |
| Diversion Means: | DIKE | | | | | |
| | POINT OF DESCRIP | - | ON IS | MOVEA | BLE A | LL ALONG SOURCE WITHIN LEGAL LAND |

FEBRUARY 28, 2008

42C 181561-00

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Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

| ID | <u>Acres</u> Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | <u>Rge</u> <u>County</u> |
|--------|-----------------------|----------------|------------|-----|--------------------------|
| 1 | 320.00 | S2 | 34 | ЗN | 47E CUSTER |
| 2 | 120.00 | NE | 3 | 2N | 47E CUSTER |
| 3 | 60.00 | W2 | 2 | 2N | 47E CUSTER |
| Total: | 500.00 | | | | |

Remarks:

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

180345-00 181561-00

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). 278-105, 278-127 , DATED 09/15/1978 , APPEARS TO INDICATE 135 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). DIU-2JJ-205 , DATED 9/26/1968 , APPEARS TO INDICATE 151 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF 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: | 42C 181562-00 STATEMENT OF CLAIM | | |
|---|---|--|--|
| | Version: 1 ORIGINAL RIGHT | | |
| | Status: ACTIVE | | |
| Owners: | JEFFREY C PEILA PO BOX 69 SHEPHERD, MT 59079 | | |
| | SUSAN H PEILA PO BOX 69 SHEPHERD, MT 59079 | | |
| Priority Date: | JUNE 4, 1930 | | |
| Type of Historical Right | :DECREED | | |
| Purpose(use): | IRRIGATION | | |
| Irrigation Type: | WATER SPREADING | | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. | | |
| Volume: | 330.00 AC-FT | | |
| Climatic Area | : 1 - HIGH | | |
| Maximum Acres: | 220.00 | | |
| *Source Name: | PLUNKET CREEK | | |
| Source Type: | SURFACE WATER | | |
| *Point of Diversion and Means of Diversion: | | | |
| $\frac{ID}{1}$ Govt 1 | Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> SENESW 11 4N 47E CUSTER | | |
| Diversion Means: | | | |
| *Period of Use: | JANUARY 1 TO DECEMBER 31 | | |

FEBRUARY 28, 2008 42C 181562-00

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*Place of Use:

| ID | Acres Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | <u>Rge</u> <u>County</u> |
|--------|----------------|----------------|------------|-----|--------------------------|
| 1 | 95.00 | SE | 11 | 4N | 47E CUSTER |
| 2 | 40.00 | S2NW | 12 | 4N | 47E CUSTER |
| 3 | 35.00 | S2NE | 11 | 4N | 47E CUSTER |
| 4 | 50.00 | N2SW | 12 | 4N | 47E CUSTER |
| Total: | 220.00 | | | | |

Remarks:

ā....

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME PLACE OF USE.

181562-00 3698-00

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

THE TYPE OF HISTORICAL RIGHT MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THE CLAIM INDICATES A FILED APPROPRIATION RIGHT.

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

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

IMPORTANT NOTICE

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

Diversion Means: NATURAL OVERFLOW

| Water Right Number: | 42C 181563-00 STATEMENT OF CLAIM |
|---------------------------|--|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | JEFFREY C PEILA PO BOX 69 SHEPHERD, MT 59079 |
| | SUSAN H PEILA PO BOX 69 SHEPHERD, MT 59079 |
| *Priority Date: | DECEMBER 31, 1962 |
| Type of Historical Right | :USE |
| Purpose(use): | IRRIGATION |
| Irrigation Type: | NATURAL OVERFLOW |
| *Flow Rate: | NO FLOW RATE HAS BEEN DECREED FOR THIS NATURAL OVERFLOW METHOD OF IRRIGATION. |
| *Volume: | THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. |
| Climatic Area | : 1 - HIGH |
| Maximum Acres: | 100.00 |
| Source Name: | KENNEDY CREEK |
| Source Type: | SURFACE WATER |
| *Point of Diversion and M | Means of Diversion: |
| <u>ID</u> <u>Govt I</u> | |
| 1 Diversion Means: | W2 1 4N 47E CUSTER NATURAL OVERFLOW |
| 2 | NE 2 4N 47E CUSTER |
| Diversion Means: | NATURAL OVERFLOW |
| 3 | SE 33 5N 47E CUSTER |

FEBRUARY 28, 2008

42C 181563-00

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*Period of Use: JANUARY 1 TO DECEMBER 31

*Place of Use:

| ID | Acres Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> <u>County</u> |
|--------|----------------|----------------|------------|------------|--------------------------|
| 1 | 20.00 | W2 | 1 | 4N | 47E CUSTER |
| 2 | 40.00 | NE | 2 | 4N | 47E CUSTER |
| 3 | 40.00 | SE | 33 | 5N | 47E CUSTER |
| Total: | 100.00 | | | | |

Remarks:

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

USDA AERIAL PHOTOGRAPH NO(S). 378-86, 378-88 , DATED 10/09/1978 , APPEARS TO INDICATE 57 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). DIU 8JJ-47 , DATED 09/09/1968 , APPEARS TO INDICATE 29.5 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

IT APPEARS THIS WATER RIGHT MAY NOT HAVE BEEN PERFECTED. ACCORDING TO INFORMATION IN THE CLAIM FILE, THERE APPEARS TO BE NO APPROPRIATION OF WATER. ALL ELEMENTS OF THIS CLAIM MAY BE QUESTIONABLE. 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.

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: | 42C 181564-00 STATEMENT OF CLAIM |
|-------------------------|---|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | T TRIANGLE RANCHES INC TONGUE RIVER STAGE PO BOX 1517 MILES CITY, MT 59301 |
| *Priority Date: | FEBRUARY 16, 1909 |
| Type of Historical Righ | t: FILED |
| Purpose(use): | IRRIGATION |
| | WATER SPREADING |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. |
| Volume: | 45.00 AC-FT |
| Climatic Area | n: 1 - HIGH |
| Maximum Acres: | 30.00 |
| Source Name: | UNNAMED TRIBUTARY OF TONGUE RIVER |
| Source Type: | SURFACE WATER |
| Point of Diversion and | Means of Diversion: |
| <u>ID</u> <u>Govt</u> | LotQtr SecSecTwpRgeCountySE124N47ECUSTER |
| Diversion Means: | DIKE |
| Period of Use: | FEBRUARY 16 TO NOVEMBER 1 |
| Place of Use: | |
| ID <u>Acres Govt</u> | <u>Lot Qtr Sec Sec Twp Rge County</u> |
| 1 25.00 | SE 12 4N 47E CUSTER |
| 2 5.00 | N2NENW 13 4N 47E CUSTER |
| Total: 30.00 | |

Page 2 of 2

Remarks:

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

180341-00 180342-00 181564-00

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

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. PART OF THE PLACE OF USE APPEARS TO BE ON FEDERAL LAND AND RON WELL'S LAND.

USDA AERIAL PHOTOGRAPH NO(S). 378-88 , DATED 10/19/1978 , APPEARS TO INDICATE 19 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

AERIAL PHOTOGRAPH NO(S). DIU 8JJ-84 , DATED 9/9/1968 , APPEARS TO INDICATE 8 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

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

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

| | | Status: | WITHDRAWN |
|---------------------|----------|---------|--------------------|
| | Version: | 1 OR | IGINAL RIGHT |
| Water Right Number: | 42C 1815 | 65-00 | STATEMENT OF CLAIM |

Owners:

DONNA M HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301

LES J HIRSCH HC 32 BOX 4311

MILES CITY, MT 59301

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): IRRIGATION

Flow Rate:

Volume:

Source Name: FOREST CREEK

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 11/24/2006.

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: | 42C 181566-00 STATEMENT OF CLAIM | | | | |
|------------------------------------|---|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | |
| | Status: ACTIVE | | | | |
| Owners: | TWELVE HUNDRED RANCH LLC PO BOX 237 ASHLAND, MT 59003 | | | | |
| *Priority Date: | DECEMBER 31, 1959 | | | | |
| Type of Historical Righ | nt: USE | | | | |
| Purpose(use): | IRRIGATION | | | | |
| Irrigation Type | : WATER SPREADING | | | | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. | | | | |
| Volume: | 46.00 AC-FT | | | | |
| Climatic Area | a: 2 - MODERATELY HIGH | | | | |
| Maximum Acres: | 23.00 | | | | |
| Source Name: | OTTER CREEK, EAST FORK | | | | |
| Source Type: | SURFACE WATER | | | | |
| Point of Diversion and | Means of Diversion: | | | | |
| IDGovt1 | LotQtr SecSecTwpRgeCountyNWSWNW352S46EPOWDER RIVER | | | | |
| Diversion Means: | DIKE | | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | |
| Place of Use: | | | | | |
| <u>ID</u> <u>Acres</u> <u>Govt</u> | Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> | | | | |
| 1 8.00 | N2SWNW 35 2S 46E POWDER RIVER | | | | |
| 2 15.00 | N2SENE 34 2S 46E POWDER RIVER | | | | |
| Total: 23.00 | | | | | |

Page 2 of 2

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 181567-00 STATEMENT OF CLAIM |
|------------------------------------|---|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | TWELVE HUNDRED RANCH LLC PO BOX 237 ASHLAND, MT 59003 |
| *Priority Date: | DECEMBER 31, 1959 |
| Type of Historical Right | t: FILED |
| Purpose(use): | STOCK |
| Flow Rate: | 10.00 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 |
| | ALSO KNOWN AS WATER GAP |
| *Point of Diversion and M | Means of Diversion: |
| ID Govt 1 1 Diversion Means: | SWNESE 36 2S 46E POWDER RIVER |
| Period of Use: | JANUARY 1 TO DECEMBER 31 |
| | |
| Place of Use: | Lat Otr Sag Sag Trum Day Country |
| ID <u>Acres Govt I</u> | Lot <u>Qtr Sec Sec Twp</u> <u>Rge</u> <u>County</u> SWNESE 36 2S 46E POWDER RIVER |
| I | SWINESE 30 25 40E FOWDER RIVER |
| ISSUES TO REPOR | INATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR RT TO THE WATER COURT. |

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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 Rig | ght Number: | 42C 18202 | 24-00 S | TATEN | | F CLA | IM |
|-------------------|------------------|-----------------------------------|----------------|------------------|------------|-------|--|
| | | Version: | 1 ORIO | GINAL | RIGHT | | |
| | | | Status: | AC | TIVE | | |
| Owners: | | RIVER RA 5525 N. SL TUCSON, | JNDOWN | DRIVE | | ; | |
| *Priority I | Date: | MAY 15, 19 | 962 | | | | |
| Type of H | listorical Right | :USE | | | | | |
| Purpose(| use): | IRRIGATIC | ON | | | | |
| Ir | rigation Type: | FLOOD | | | | | |
| *Flow Rat | e: | 85.00 GPN | 1 | | | | |
| | | | E GUIDEL | | | | HT HAS BEEN REDUCED TO THE 17 GPM TE MAY BE CONTESTED BY PROPER |
| *Volume: | | | | | | | RIGHT SHALL NOT EXCEED THE ENEFICIAL USE. |
| | Climatic Area | 2 - MODEF | RATELY H | IGH | | | |
| Maximun | n Acres: | 5.00 | | | | | |
| Source N | ame: | TONGUE F | RIVER | | | | |
| Sourc | е Туре: | SURF | FACE WA | TER | | | |
| Point of I | Diversion and N | Aeans of Div | ersion: | | | | |
| <u>ID</u> | Govt I | | <u>Qtr Sec</u> | Sec | Twp | | County |
| -1 | | | WNENE | 27 | 2S | 44E | ROSEBUD |
| Dive Period of | ersion Means: | PUMP MAY 15 TC | | | 15 | | |
| | | | | | 10 | | |
| Place of U | | | | a | - | P | |
| <u>ID</u> | Acres Govt I | | Qtr Sec | <u>Sec</u> 27 | <u>Twp</u> | | |
| 1 | 5.00 | IN | WNENE | 21 | 2S | 44⊏ | ROSEBUD |

FEBRUARY 28, 2008 42C 182024-00

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Place of Use:

| <u>ID</u> | <u>Acres</u> <u>Govt Lot</u> | |
|-----------|------------------------------|--|
| Total: | 5.00 | |

<u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u>

Remarks:

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

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE. USDA AERIAL PHOTOGRAPH NO(S). 278-193 , DATED 07/26/1978 , APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON THE TONGUE RIVER WITH A PRIORITY DATE POSTDATING CASE NO. 2809 CUSTER 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: | 42C 182025-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE |
|--------------------------|--|
| Owners: | RIVER RANCH OF MONTANA LLC 5525 N. SUNDOWN DRIVE TUCSON, AZ 85718 |
| *Priority Date: | MAY 15, 1962 |
| Type of Historical Right | :USE |
| Purpose(use): | IRRIGATION |
| Irrigation Type: | FLOOD |
| Flow Rate: | 120.00 GPM |
| *Volume: | THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. |
| Climatic Area | 2 - MODERATELY HIGH |
| Maximum Acres: | 8.00 |
| Source Name: | TONGUE RIVER |
| Source Type: | SURFACE WATER |
| Point of Diversion and M | Means of Diversion: |
| ID Govt I | Lot <u>Qtr Sec Sec Twp</u> <u>Rge</u> <u>County</u> NESESE 27 2S 44E ROSEBUD |
| Diversion Means: | |
| Period of Use: | MAY 15 TO SEPTEMBER 15 |
| Place of Use: | |
| ID <u>Acres Govt I</u> | |
| 1 8.00 | NESESE 27 2S 44E ROSEBUD |
| Total: 8.00 | |

Page 2 of 2

Remarks:

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

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

USDA AERIAL PHOTOGRAPH NO(S). 578-60 , DATED 06/29/1980 , APPEARS TO INDICATE 1 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 THE TONGUE RIVER WITH A PRIORITY DATE POSTDATING CASE NO. 2809 CUSTER COUNTY.

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

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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: | 42C 182423-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | | |
|------------------------------------|---|--|--|--|--|--|
| Owners: | BNSF RAILWAY CO PO BOX 961101 FORT WORTH, TX 76161 1101 | | | | | |
| Priority Date: | APRIL 23, 1982 | | | | | |
| | THIS IS AN EXISTING RIGHT. ITS POST-1973 PRIORITY DATE IS DECREED PURSUANT TO SECTION 85-2-306(4) MCA. | | | | | |
| Type of Historical Right: USE | | | | | | |
| Purpose(use): | STOCK | | | | | |
| Flow Rate: | 5.00 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: | | | | | |
| IDGovt1 | Lot <u>Qtr Sec</u> Sec <u>Twp</u> <u>Rge</u> <u>County</u> SWNENW 15 1S 49E POWDER RIVER | | | | | |
| Diversion Means: | | | | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | | |
| Place of Use: | | | | | | |
| <u>ID</u> <u>Acres</u> <u>Govt</u> | | | | | | |
| 1 | SWNENW 15 1S 49E POWDER RIVER | | | | | |

Remarks:

42C 182423-00

Page 2 of 2

THE FOLLOWING 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 AND WATER RIGHT NO. 45670-00 APPEAR TO BE DUPLICATE FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

THIS CLAIM AND WATER RIGHT NO. 177528 APPEAR TO BE DUPLICATE FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. THE PLACE OF USE APPEARS TO BE ON DEIBEL WHEAT & CATTLE LAND.

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.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 182427-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | | |
|--|---|--|--|--|--|--|
| Owners: | GASKILL BROTHERS PARTNERSHIP %ANDREW H GASKILL HC 87 BOX 47 VOLBORG, MT 59351 | | | | | |
| | GASKILL BROTHERS PARTNERSHIP %DANIEL GASKILL HC 87 BOX 54 VOLBORG, MT 59351 | | | | | |
| Priority Date: | JUNE 4, 1910 | | | | | |
| 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. | | | | | |
| *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 PUMPKIN CREEK | | | | | |
| Source Type: | SURFACE WATER | | | | | |
| Point of Diversion and Means of Diversion: | | | | | | |
| <u>ID</u> <u>Govt</u> | | | | | | |
| 1 Dimonsion Manager | NESESW 15 1S 49E POWDER RIVER LIVESTOCK DIRECT FROM SOURCE | | | | | |
| | | | | | | |

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

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| <u>ID</u> | <u>Acres</u> Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | <u>Rge</u> <u>County</u> |
|-----------|-----------------------|----------------|------------|-----|--------------------------|
| 1 | | NESESW | 15 | 1S | 49E POWDER RIVER |
| | | | | | |

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 182539-00 STATEMENT OF CLAIM | | | | |
|--|---|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | |
| | Status: ACTIVE | | | | |
| Owners: | CORNWELL LAND & LIVESTOCK CO HC 84 BOX 2036 FORSYTH, MT 59327 | | | | |
| Priority Date: | SEPTEMBER 30, 1954 | | | | |
| 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: | DRY CREEK | | | | |
| Source Type: | SURFACE WATER | | | | |
| 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> NESWSW 8 2N 44E ROSEBUD | | | | |

Diversion Means: DAM

FEBRUARY 28, 2008 42C 182539-00

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| *Reservoir: | ONSTRE | AM | | | | |
|--------------------|--------------------|-------------------------------------|------------|------------------|-------------------|-----------------------------------|
| | <u>Govt I</u> | <u>Lot</u> <u>Qtr See</u> NESWSW | | <u>Twp</u> 2N | <u>Rge</u> 44E | County ROSEBUD |
| Dam H | leight: | 13.00 FE | | | | |
| Depth: | 1 | 10.00 FE | ET | | | |
| Surfac | e Area: | 1.00 AC | RES | | | |
| Capaci | ity: | 4.00 AC | RE-FEE | Т | | |
| | | THE CAPACITY, D DNRC. | AM HEI | GHT, Al | ND SU | RFACE AREA HAVE BEEN ESTIMATED BY |
| Period of Use | : | JANUARY 1 TO D | ECEMBE | R 31 | | |
| Place of Use: | | | | | | |
| <u>ID</u> <u>A</u> | <u>cres Govt I</u> | <u>.ot</u> <u>Qtr Sec</u> | <u>Sec</u> | Twp | Rge | County |
| 1 | | NESWSW | 8 | 2N | 44E | ROSEBUD |
| | | | | | | |

Remarks:

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

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

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

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

| Version: 1 ORIGINAL RIGHT Status: ACTIVE Owners: MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARK PO BOX 200701 | S | | | | | | |
|--|--------------|--|--|--|--|--|--|
| Owners: MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARK | S | | | | | | |
| | S | | | | | | |
| HELENA, MT 59620 0701 | | | | | | | |
| Priority Date: JULY 1, 1957 | | | | | | | |
| *Type of Historical Right: USE | | | | | | | |
| Purpose(use): FISH RACEWAYS | | | | | | | |
| Flow Rate: 100.00 GPM | | | | | | | |
| Volume: 155.30 AC-FT | 155.30 AC-FT | | | | | | |
| *Source Name: GROUNDWATER | GROUNDWATER | | | | | | |
| Source Type: GROUNDWATER | GROUNDWATER | | | | | | |
| ALSO KNOWN AS WELL #2 | | | | | | | |
| *Point of Diversion and Means of Diversion: | | | | | | | |
| ID Govt Lot Qtr Sec Sec Twp Rge County | | | | | | | |
| 1 NWNWNW 9 7N 47E CUSTER Diversion Means: WELL | | | | | | | |
| Period of Use: JANUARY 1 TO DECEMBER 31 | | | | | | | |
| Tenou of Use. SANGART FTO DECEMBER 31 | | | | | | | |
| Place of Use: | | | | | | | |
| <u>ID</u> <u>Acres Govt Lot</u> <u>Qtr Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> | | | | | | | |
| 1 SW 4 7N 47E CUSTER | | | | | | | |
| 2 SE 5 7N 47E CUSTER 3 NE 8 7N 47E CUSTER | | | | | | | |
| 4 NW 9 7N 47E CUSTER | | | | | | | |

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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.

183101-00 189321-00

WHENEVER THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE COMBINED TO SUPPLY WATER FOR THE CLAIMED PURPOSE, EACH IS LIMITED TO THE HISTORICAL FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. 183101, 183102.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 183 | 3102-00 S | TATEN | IENT O | F CLAIM | | |
|---------------------------|---------------------|--------------------------|-----------------|------------------|--|--|--|
| | Version: | 1 ORI0 | | | | | |
| | | Status: | AC | TIVE | | | |
| Owners: | PO BOX | | | PT OF F | FISH WILDLIFE & PARKS | | |
| Priority Date: | JUNE 28 | 8, 1957 | | | | | |
| Type of Historical Rig | ght: USE | | | | | | |
| Purpose(use): | FISH RA | CEWAYS | | | | | |
| Flow Rate: | 350.00 C | GPM | | | | | |
| Volume: | 564.50 A | AC-FT | | | | | |
| *Source Name: GROUNDWATER | | | | | | | |
| Source Type: | GR | GROUNDWATER | | | | | |
| | ALSO K | ALSO KNOWN AS WELL #1 | | | | | |
| *Point of Diversion and | d Means of E | Diversion: | | | | | |
| <u>ID</u> <u>Gov</u> | <u>vt Lot</u> | <u>Qtr Sec</u> NWNENE | <u>Sec</u> 8 | <u>Twp</u> 7N | <u>Rge</u> <u>County</u> 47E CUSTER | | |
| Diversion Mean | s• WFII | INVVINEINE | 0 | 7 IN | 4/E CUSTER | | |
| Period of Use: | | RY 1 TO DEC | СЕМВЕ | R 31 | | | |
| Place of Use: | | | | | | | |
| ID Acres Gov | vt Lot | Qtr Sec | Sec | Twp | Rge County | | |
| 1 | | SW | 4 | 7N | 47E CUSTER | | |
| 2 | | SE | 5 | 7N | | | |
| 3 | | NE | 8 | 7N | | | |
| 4 | | NW | 9 | 7N | 47E CUSTER | | |

Remarks:

FEBRUARY 28, 2008

42C 183102-00

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WHENEVER THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE COMBINED TO SUPPLY WATER FOR THE CLAIMED PURPOSE, EACH IS LIMITED TO THE HISTORICAL FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. 183101, 183102.

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 183393-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE |
|--|---|
| Owners: | DONNA M HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 |
| | LES J HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 |
| *Priority Date: | DECEMBER 31, 1954 |
| Type of Historical Right | t: USE |
| Purpose(use): | STOCK |
| Flow Rate: | 10.00 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 I | Means of Diversion: |
| IDGovt1Diversion Means: | SESENW 27 4N 46E CUSTER |
| Period of Use: | JANUARY 1 TO DECEMBER 31 |
| Place of Use: <u>ID</u> <u>Acres</u> <u>Govt 1</u> 1 | Lot <u>Qtr Sec Sec Twp Rge County</u> SESENW 27 4N 46E CUSTER |

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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.

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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: | 42C 183394-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | |
|---|---|--|--|--|
| Owners: | DONNA M HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 | | | |
| | LES J HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 | | | |
| Priority Date: | JANUARY 1, 1961 | | | |
| 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: | HORSE CREEK | | | |
| Source Type: | SURFACE WATER | | | |
| *Point of Diversion and Means of Diversion: | | | | |
| IDGovt1Period of DiversioDiversion Means: | Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SESESW 19 4N 46E CUSTER n:JANUARY 1 TO DECEMBER 31 DAM | | | |

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ONSTREAM *Reservoir: **Govt Lot Otr Sec** Sec Twp <u>Rge</u> <u>County</u> 46E CUSTER SESESW 19 4N 14.00 FEET **Dam Height:** 11.00 FEET Depth: **Surface Area:** 1.00 ACRES Capacity: 4.40 ACRE-FEET THE CAPACITY AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC. Period of Use: **JANUARY 1 TO DECEMBER 31 Place of Use:** ID Acres Govt Lot Rge County Qtr Sec <u>Sec</u> Twp 4N 1 SESESW 19 46E CUSTER THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 183395-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE |
|--|---|
| Owners: | DONNA M HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 |
| | LES J HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 |
| *Priority Date: | DECEMBER 31, 1954 |
| Type of Historical Right | t: USE |
| Purpose(use): | STOCK |
| Flow Rate: | 25.00 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 I | Means of Diversion: |
| IDGovt1Diversion Means: | SWNWNE 6 3N 47E CUSTER |
| Period of Use: | JANUARY 1 TO DECEMBER 31 |
| Place of Use: <u>ID</u> <u>Acres</u> <u>Govt 1</u> 1 | <u>Lot Qtr Sec Sec Twp Rge County</u> SWNWNE 6 3N 47E CUSTER |

Page 2 of 2

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 183396-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE DONNA M HIRSCH HC 32 BOX 4311 |
|---|---|
| | MILES CITY, MT 59301 LES J HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 |
| Priority Date: | JANUARY 1, 1960 |
| Type of Historical Right | t: USE |
| Purpose(use): | STOCK |
| Flow Rate: | 10.00 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 I | Means of Diversion: |
| IDGovt1Diversion Means: | NWNWNE 6 3N 47E CUSTER |
| Period of Use: | JANUARY 1 TO DECEMBER 31 |
| Place of Use: <u>ID Acres</u> <u>Govt 1</u> 1 | <u>Lot Qtr Sec Sec Twp Rge County</u> NWNWNE 6 3N 47E CUSTER |

Page 2 of 2

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C 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: | 42C 1833 | 9 7-00 S | TATEN | IENT O | F CLA | IM |
|--|-----------------------------------|----------------------|----------------|-------------------|-------|--|
| | Version: | 1 ORIO | GINAL I | RIGHT | | |
| | | Status: | AC | TIVE | | |
| Owners: | T TRIANG PO BOX 1 MILES CIT | 517 | | | | |
| *Priority Date: | Priority Date: DECEMBER 31, 1945 | | | | | |
| Type of Historical Right | :USE | | | | | |
| Purpose(use): | STOCK | | | | | |
| Flow Rate: | 25.00 GPN | 1 | | | | |
| *Volume: | STOCK W | ATERING NIT. ANIM | PURP IAL 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: | GROUNDV | VATER | | | | |
| Source Type: | GROUNDWATER | | | | | |
| Point of Diversion and M | Aeans of Div | ersion: | | | | |
| \underline{ID} <u>Govt 1</u> | | <u>Qtr Sec</u> | Sec | Twp | | County |
| 1 Diversion Means: | WELL | ESWSE | 34 | 3N | 47E | CUSTER |
| Period of Use: | JANUARY | 1 TO DEC | EMBE | R 31 | | |
| | | | | | | |
| Place of Use: <u>ID</u> <u>Acres</u> Govt I | ot | Qtr Sec | Sec | Twp | Dao | County |
| 1 <u>Acres 0001</u> | | ESWSE | 34 | <u>1 wp</u> 3N | | CUSTER |
| E | • | | •. | •••• | - | |
| THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT. | | | | | | |

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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."

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: | 42C 183398-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | |
|---|---|--|--|
| Owners: | DONNA M HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 | | |
| | LES J HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 | | |
| Priority Date: | JANUARY 1, 1960 | | |
| 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 FOREST CREEK | | |
| Source Type: | SURFACE WATER | | |
| *Point of Diversion and Means of Diversion: | | | |
| ID 1GovtPeriod of DiversioDiversion Means: | Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWNWNE 27 4N 46E CUSTER n:JANUARY 1 TO DECEMBER 31 DAM | | |

FEBRUARY 28, 2008 42C 183398-00 Page 2 of 2

ONSTREAM *Reservoir: **Govt Lot Otr Sec** Sec Twp <u>Rge</u> <u>County</u> 46E CUSTER SWNWNE 27 4N 6.00 FEET **Dam Height:** 3.00 FEET Depth: **Surface Area:** 2.50 ACRES Capacity: 3.00 ACRE-FEET THE SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY DNRC. Period of Use: **JANUARY 1 TO DECEMBER 31 Place of Use:** ID Acres Govt Lot Rge County Qtr Sec <u>Sec</u> Twp 27 4N 1 SWNWNE 46E CUSTER THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 183399-00 STATEMENT OF CLAIM | | |
|---|---|--|--|
| | Version: 1 ORIGINAL RIGHT | | |
| | Status: ACTIVE | | |
| Owners: | T TRIANGLE RANCHES INC PO BOX 1517 MILES CITY, MT 59301 1517 | | |
| Priority Date: | JANUARY 1, 1960 | | |
| 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 FOSTER CREEK, NORTH FORK | | |
| Source Type: | SURFACE WATER | | |
| *Point of Diversion and Means of Diversion: | | | |

*Point of Diversion and Means of Diversion:

| ID | Govt Lot | <u>Qtr Sec</u> | Sec | Twp | Rge | County |
|----|----------|----------------|-----|-----|-----|---------------|
| 1 | | NESWNW | 2 | 2N | 47E | CUSTER |
| | | | | | | |

Diversion Means: DAM

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ONSTREAM *Reservoir: **Govt Lot Otr Sec** <u>Sec</u> Twp <u>Rge</u> <u>County</u> NESWNW 2 2N 47E CUSTER 15.00 FEET **Dam Height:** 12.00 FEET Depth: **Surface Area:** 1.58 ACRES Capacity: 7.60 ACRE-FEET THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC. **JANUARY 1 TO DECEMBER 31 Period of Use:** Place of Use: ID Acres Govt Lot **Rge** County Qtr Sec Sec Twp 1 NESWNW 2 47E CUSTER 2N 2 NWSENW 2 47E CUSTER 2N

Remarks:

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

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF 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: | 42C 183400-00 STATEMENT OF CLAIM | | | | | |
|---------------------------|---|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | | |
| | Status: ACTIVE | | | | | |
| Owners: | PINE RIDGE LAND & LIVESTOCK LLC % FRITZ V ZOOK HC 40 BOX 6591 MILES CITY, MT 59301 | | | | | |
| Priority Date: | JANUARY 1, 1960 | | | | | |
| 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: | FOSTER CREEK, NORTH FORK | | | | | |
| 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</u> <u>County</u> SWNWSE 14 3N 47E CUSTER | | | | | |
| Diversion Means: | DAM | | | | | |
| *Reservoir: ONSTRE | AM | | | | | |
| <u>Govt I</u> | <u>Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWNWSE 14 3N 47E CUSTER | | | | | |
| Depth: | 10.00 FEET | | | | | |
| Surface Area: | 5.60 ACRES | | | | | |
| Capacity: | 22.40 ACRE-FEET | | | | | |

FEBRUARY 28, 2008 42C 183400-00

Page 2 of 2

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

| ID | Acres Govt Lot | Qtr Sec | Sec | Twp | Rge County |
|----|----------------|---------|-----|-----|------------|
| 1 | | NWSE | 14 | ЗN | 47E CUSTER |

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.

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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: | 42C 183401-00 STATEMENT OF CLAIM |
|---------------------------|---|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | PINE RIDGE LAND & LIVESTOCK LLC % FRITZ V ZOOK HC 40 BOX 6591 MILES CITY, MT 59301 |
| *Priority Date: | DECEMBER 31, 1959 |
| Type of Historical Right | 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 BROWN CREEK |
| Source Type: | SURFACE WATER |
| *Point of Diversion and M | 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> SWNWNE 13 3N 47E CUSTER |
| Diversion Means: | DAM |
| Reservoir: ONSTRE | AM |
| <u>Govt I</u> | Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> SWNWNE 13 3N 47E CUSTER |
| Depth: | 10.00 FEET |
| Surface Area: | 2.00 ACRES |
| Capacity: | 8.00 ACRE-FEET |

FEBRUARY 28, 2008

42C 183401-00 Page 2 of 2

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

| ID | Acres Govt Lot | <u>Qtr Sec</u> | Sec | Twp | <u>Rge</u> <u>County</u> |
|----|----------------|----------------|-----|-----|--------------------------|
| 1 | | SWNWNE | 13 | 3N | 47E CUSTER |
| 2 | | NWSWNE | 13 | 3N | 47E CUSTER |

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.

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PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 183402-00 STATEMENT OF CLAIM | | | |
|---|---|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | |
| | Status: ACTIVE | | | |
| Owners: | PINE RIDGE LAND & LIVESTOCK LLC % FRITZ V ZOOK HC 40 BOX 6591 MILES CITY, MT 59301 | | | |
| *Priority Date: | DECEMBER 31, 1954 | | | |
| Type of Historical Right | 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: | GROUNDWATER | | | |
| Source Type: | GROUNDWATER | | | |
| 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> SWNWSE 14 3N 47E CUSTER | | | |
| Diversion Means: | WELL | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 1 | | | |
| Place of Use: | | | | |
| ID Acres Govt 1 | Lot <u>Qtr Sec Sec Twp Rge</u> County | | | |
| 1 | SWNWSE 14 3N 47E CUSTER | | | |
| THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT. | | | | |

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **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: | 42C 183403-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT |
|--|---|
| | Status: ACTIVE |
| Owners: | JEFFREY C PEILA PO BOX 69 SHEPHERD, MT 59079 |
| | SUSAN H PEILA PO BOX 69 SHEPHERD, MT 59079 |
| Priority Date: | DECEMBER 31, 1960 |
| Type of Historical Right | t: FILED |
| Purpose(use): | STOCK |
| Flow Rate: | 5.00 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 I | Means of Diversion: |
| IDGovt1Diversion Means: | SWNENW 28 5N 47E CUSTER |
| Period of Use: | JANUARY 1 TO DECEMBER 31 |
| Place of Use: <u>ID</u> <u>Acres</u> <u>Govt I</u> 1 | Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWNENW 28 5N 47E CUSTER |

Page 2 of 2

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 183404-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | |
|---|---|--|--|--|
| Owners: | DONNA M HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 | | | |
| | LES J HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 | | | |
| Priority Date: | AUGUST 31, 1970 | | | |
| 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 TONGUE RIVER | | | |
| Source Type: | SURFACE WATER | | | |
| *Point of Diversion and Means of Diversion: | | | | |
| IDGovt1Period of DiversioDiversion Means: | Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> SWSENW 1 3N 46E CUSTER n:JANUARY 1 TO DECEMBER 31 DAM | | | |

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ONSTREAM *Reservoir: **Govt Lot Otr Sec** Sec Twp <u>Rge</u> <u>County</u> CUSTER NESWNW 3N 46E 1 12.00 FEET **Dam Height:** 10.00 FEET Depth: **Surface Area:** 0.70 ACRES Capacity: 2.80 ACRE-FEET THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC. **JANUARY 1 TO DECEMBER 31 Period of Use:** Place of Use: ID Acres Govt Lot Qtr Sec Sec Rge County Twp 1 SENW 46E CUSTER 1 3N <u>u</u>....... THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 183405-00 STATEMENT OF CLAIM |
|---------------------------|---|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | PINE RIDGE LAND & LIVESTOCK LLC % FRITZ V ZOOK HC 40 BOX 6591 MILES CITY, MT 59301 |
| Priority Date: | JANUARY 1, 1960 |
| 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 FOSTER CREEK, NORTH FORK |
| Source Type: | SURFACE WATER |
| *Point of Diversion and N | Means of Diversion: |
| ID Govt I | |
| - | SWSENE 13 2N 47E CUSTER |
| Diversion Means: | |
| *Reservoir: ONSTRE | AM |
| <u>Govt I</u> | <u>Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWSENE 13 2N 47E CUSTER |
| Depth: | 10.00 FEET |
| Surface Area: | 3.50 ACRES |
| Capacity: | 14.00 ACRE-FEET |

42C 183405-00

Page 2 of 2

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

| ID | Acres Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | <u>Rge</u> <u>County</u> |
|----|----------------|----------------|------------|-----|--------------------------|
| 1 | | SWSENE | 13 | 2N | 47E CUSTER |
| 2 | | N2NESE | 13 | 2N | 47E CUSTER |

Remarks:

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

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

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

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

PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 183406-00 STATEMENT OF CLAIM |
|---------------------------|---|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | PINE RIDGE LAND & LIVESTOCK LLC % FRITZ V ZOOK HC 40 BOX 6591 MILES CITY, MT 59301 |
| Priority Date: | JANUARY 1, 1961 |
| Type of Historical Right | 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: | HADDOW CREEK |
| Source Type: | SURFACE WATER |
| *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> SWSENW 25 3N 47E CUSTER |
| Diversion Means: | DAM |
| Reservoir: ONSTRE | AM |
| <u>Govt I</u> | Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWSENW 25 3N 47E CUSTER |
| Depth: | 10.00 FEET |
| Surface Area: | 3.40 ACRES |
| Capacity: | 13.60 ACRE-FEET |

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THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

| <u>ID</u> | Acres Govt Lot | <u>Qtr Sec</u> | Sec | Twp | <u>Rge</u> <u>County</u> |
|-----------|----------------|----------------|-----|-----|--------------------------|
| 1 | | SWSENW | 25 | 3N | 47E CUSTER |
| 2 | | SESENW | 25 | 3N | 47E CUSTER |
| 3 | | NENESW | 25 | 3N | 47E CUSTER |

Remarks:

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

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF 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: | 42C 183407-00 STATEMENT OF CLAIM | | |
|--|---|--|--|
| | Version: 1 ORIGINAL RIGHT | | |
| | Status: ACTIVE | | |
| Owners: | T TRIANGLE RANCHES INC PO BOX 1517 MILES CITY, MT 59301 1517 | | |
| Priority Date: | JANUARY 1, 1961 | | |
| 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 FOSTER CREEK, NORTH FORK | | |
| Source Type: | SURFACE WATER | | |
| Point of Diversion and Means of Diversion: | | | |

| ID | Govt Lot | Qtr Sec | Sec | Twp | Rge County |
|----|----------|---------|-----|-----|------------|
| 1 | | NENWNE | 11 | 2N | 47E CUSTER |
| | | | | | |

Diversion Means: DAM

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*Reservoir: ONSTREAM

| <u>Govt I</u> | <u>Lot Qtr Sec Sec Twp Rge County</u> NENWNE 11 2N 47E CUSTER |
|----------------|---|
| Dam Height: | 18.00 FEET |
| Depth: | 15.00 FEET |
| Surface Area: | 4.87 ACRES |
| Capacity: | 29.20 ACRE-FEET |
| | THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC. |
| Period of Use: | JANUARY 1 TO DECEMBER 31 |
| Place of Use: | |

| ID | Acres Govt Lot | <u>Qtr Sec</u> | Sec | Twp | Rge County |
|----|----------------|----------------|-----|-----|------------|
| 1 | | NENWNE | 11 | 2N | 47E CUSTER |
| 2 | | N2NENE | 11 | 2N | 47E CUSTER |
| 3 | | S2SESE | 2 | 2N | 47E CUSTER |

Remarks:

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

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

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

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

PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 183408-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | |
|--|---|--|--|--|--|
| Owners: | DONNA M HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 | | | | |
| | LES J HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 | | | | |
| *Priority Date: | DECEMBER 31, 1954 | | | | |
| Type of Historical Right: USE | | | | | |
| Purpose(use): | STOCK | | | | |
| Flow Rate: | 10.00 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: | | | | | |
| IDGovt1Diversion Means: | SESENE 35 4N 46E CUSTER | | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | |
| Place of Use: <u>ID</u> <u>Acres</u> <u>Govt 1</u> 1 | Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> SESENE 35 4N 46E CUSTER | | | | |

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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."

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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: | 42C 18340 |)9-00 S ⁻ | TATEN | IENT O | F CLA | JM |
|--------------------------|--|-----------------------------|------------------|------------------|-------|--|
| C | Version: | 1 ORIG | SINAL I | RIGHT | | |
| | | Status: | AC | TIVE | | |
| Owners: | PINE RIDG % FRITZ V HC 40 BO> MILES CIT | ZOOK (6591 | | STOCK | LLC | |
| *Priority Date: | DECEMBE | R 31, 195 | 4 | | | |
| Type of Historical Right | :USE | | | | | |
| Purpose(use): | STOCK | | | | | |
| Flow Rate: | 20.00 GPN | 1 | | | | |
| *Volume: | STOCK W/ ANIMAL UI | ATERING NIT. ANIM | PURP AL UN | OSES A ITS SH | 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: | GROUNDV | VATER | | | | |
| Source Type: | GRO | JNDWATE | ER | | | |
| Point of Diversion and M | Means of Div | ersion: | | | | |
| ID Govt 1 | | <u>Qtr Sec</u> VSWSE | <u>Sec</u> 23 | <u>Тwp</u> ЗN | | <u>County</u> CUSTER |
| Diversion Means: | | | 20 | 011 | | |
| Period of Use: | JANUARY | 1 TO DEC | EMBE | R 31 | | |
| Place of Use: | | | | | | |
| ID Acres Govt I | Lot | Qtr Sec | Sec | Twp | Rge | County |
| 1 | | VSWSE | 23 | 3N | | CUSTER |
| ISSUES TO REPOR | INATION (RT TO THE | OF THIS WATER | CLAIN COUI | M FOU RT. | ND N | O SIGNIFICANT FACTS, DATA, OR |

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 183410-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE |
|--|---|
| Owners: | DONNA M HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 |
| | LES J HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 |
| *Priority Date: | DECEMBER 31, 1954 |
| Type of Historical Right | t:USE |
| Purpose(use): | STOCK |
| Flow Rate: | 10.00 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 I | Means of Diversion: |
| IDGovt1Diversion Means: | NWNWSE 21 4N 46E CUSTER |
| Period of Use: | JANUARY 1 TO DECEMBER 31 |
| Place of Use: <u>ID</u> <u>Acres</u> <u>Govt 1</u> 1 | Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> NWNWSE 21 4N 46E CUSTER |

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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.

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| Water Right Number: Owners: | 42C 183411-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE JEFFREY C PEILA PO BOX 69 SHEPHERD, MT 59079 |
|--|---|
| | SUSAN H PEILA PO BOX 69 SHEPHERD, MT 59079 |
| Priority Date: | MAY 31, 1962 |
| Type of Historical Right | t: FILED |
| Purpose(use): | STOCK |
| Flow Rate: | 5.00 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 I | Means of Diversion: |
| ID Govt | <u>Lot Qtr Sec Sec Twp Rge County</u> SWSESE 33 5N 47E CUSTER WELL |
| Period of Use: | JANUARY 1 TO DECEMBER 31 |
| Place of Use: <u>ID Acres Govt I</u> 1 | Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> SWSESE 33 5N 47E CUSTER |

Page 2 of 2

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 183412-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE |
|----------------------------|---|
| Owners: | JEFFREY C PEILA PO BOX 69 SHEPHERD, MT 59079 |
| | SUSAN H PEILA PO BOX 69 SHEPHERD, MT 59079 |
| *Priority Date: | JANUARY 31, 1961 |
| 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 THORPE CREEK |
| Source Type: | SURFACE WATER |
| *Point of Diversion and | Means of Diversion: |
| $\frac{\text{ID}}{1}$ Govt | Lot <u>Qtr Sec Sec Twp Rge</u> County NENESE 28 5N 47E CUSTER |
| Diversion Means: | |

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| *Reservoir: | ONSTRE | ۸M | | | | |
|--------------------|---------------|-----------------------|----------------------------------|----------------------|-------------------|-----------------------------------|
| | <u>Govt L</u> | ot Qtr NEN | <u>: Sec</u> <u>Se</u> ESE 28 | <u>c Twp</u> 3 5N | <u>Rge</u> 47E | <u>County</u> CUSTER |
| Dam 1 | Height: | 18.00 | FEET | | | |
| Depth | ı: | 15.00 | FEET | | | |
| Surfa | ce Area: | 1.76 | ACRES | | | |
| Capa | city: | 10.50 | ACRE-FI | EET | | |
| | | THE CAPACIT DNRC. | Y, DAM H | EIGHT, AI | ND SU | RFACE AREA HAVE BEEN ESTIMATED BY |
| Period of Us | e: | JANUARY 1 T | O DECEM | BER 31 | | |
| Place of Use | : | | | | | |
| <u>ID</u> <u>A</u> | Acres Govt L | <u>ot</u> <u>Qt</u> ı | <u>r Sec Se</u> | <u>c Twp</u> | Rge | <u>County</u> |
| 1 | | Ν | ESE 28 | 3 5N | 47E | CUSTER |
| | | | | | | |

Remarks:

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

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF 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: | 42C 183413-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE |
|-------------------------|---|
| Owners: | JEFFREY C PEILA PO BOX 69 SHEPHERD, MT 59079 |
| | SUSAN H PEILA PO BOX 69 SHEPHERD, MT 59079 |
| *Priority Date: | JANUARY 31, 1961 |
| 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 KENNEDY 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 NENWSE 32 5N 47E CUSTER |
| Diversion Means: | |

FEBRUARY 28, 2008 42C 183413-00 Page 2 of 2

| *Reservoir: | ONSTRE | AM | | | | |
|--------------|---------------|---------------------------|----------------------|------------------|-------------------|------------------------------------|
| | <u>Govt L</u> | <u>ot Qtr Se</u> NENWS | | <u>Twp</u> 5N | <u>Rge</u> 47E | |
| Dam | Height: | 10.00 FE | ET | | | |
| Deptl | n: | 8.00 FE | ET | | | |
| Surfa | ce Area: | 0.82 A0 | CRES | | | |
| Capa | city: | 2.63 A0 | CRE-FEE | Т | | |
| | | THE CAPACITY, DNRC. | DAM HEI | GHT, AI | ND SU | IRFACE AREA HAVE BEEN ESTIMATED BY |
| Period of Us | se: | JANUARY 1 TO E | ECEMBE | ER 31 | | |
| Place of Use | : | | | | | |
| <u>ID</u> | Acres Govt L | <u>ot</u> <u>Qtr Se</u> | <u>ec</u> <u>Sec</u> | Twp | Rge | <u>County</u> |
| 1 | | E2NWS | E 32 | 5N | 47E | CUSTER |
| | | | | | | |

Remarks:

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

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

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

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

IMPORTANT NOTICE

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| Water Right Number: | 42C 183414-00 STATEMENT OF CLAIM |
|--------------------------|---|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | JEFFREY C PEILA PO BOX 69 SHEPHERD, MT 59079 |
| | SUSAN H PEILA PO BOX 69 SHEPHERD, MT 59079 |
| *Priority Date: | JANUARY 31, 1961 |
| *Type of Historical Righ | it: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 THORPE CREEK |
| Source Type: | SURFACE WATER |
| *Point of Diversion and | Means of Diversion: |
| <u>ID</u> <u>Govt</u> | |
| 1 Diamaine Maaraa | NENE 20 5N 47E CUSTER |
| Diversion Means: | DAM |

FEBRUARY 28, 2008 42C 183414-00

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ONSTREAM *Reservoir: **Govt Lot Otr Sec** Sec Twp <u>Rge</u> <u>County</u> 47E CUSTER NENE 20 5N 15.00 FEET **Dam Height:** 12.00 FEET Depth: **Surface Area:** 6.82 ACRES **Capacity:** 32.71 ACRE-FEET THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC. **JANUARY 1 TO DECEMBER 31 Period of Use:** Place of Use: ID Acres Govt Lot Qtr Sec **Rge** County Sec Twp 1 NENE 20 5N 47E CUSTER 2 47E CUSTER E2NWNE 20 5N

Remarks:

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

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF 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: | 42C 183415-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | |
|---|---|--|--|
| Owners: | DONNA M HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 | | |
| | LES J HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 | | |
| *Priority Date: | DECEMBER 31, 1954 | | |
| 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 FOREST 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> NESWSE 21 4N 46E CUSTER | | |
| • | n:JANUARY 1 TO DECEMBER 31 DAM | | |

FEBRUARY 28, 2008 42C 183415-00 Page 2 of 2

ONSTREAM *Reservoir: **Govt Lot Otr Sec** Sec Twp <u>Rge</u> <u>County</u> 46E CUSTER SENWSE 21 4N 11.00 FEET **Dam Height:** 8.00 FEET Depth: **Surface Area:** 3.00 ACRES Capacity: 9.60 ACRE-FEET THE CAPACITY AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC. Period of Use: **JANUARY 1 TO DECEMBER 31** Place of Use: ID Acres Govt Lot Twp Rge County Qtr Sec <u>Sec</u> 1 21 4N NESWSE 46E CUSTER 2 SENWSE 21 46E CUSTER 4N THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 183416-00 STATEMENT OF CLAIM |
|---------------------------|---|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | PINE RIDGE LAND & LIVESTOCK LLC % FRITZ V ZOOK HC 40 BOX 6591 MILES CITY, MT 59301 |
| Priority Date: | JANUARY 1, 1960 |
| 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: | HADDOW CREEK, NORTH 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> SESENW 24 3N 47E CUSTER |
| Diversion Means: | DAM |
| Reservoir: ONSTRE | AM |
| <u>Govt I</u> | Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SESENW 24 3N 47E CUSTER |
| Depth: | 10.00 FEET |
| Surface Area: | 2.70 ACRES |
| Capacity: | 10.80 ACRE-FEET |

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THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

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 | | SESENW | 24 | ЗN | 47E CUSTER |
| 2 | | NENESW | 24 | ЗN | 47E CUSTER |

Remarks:

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

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

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

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

IMPORTANT NOTICE

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| Water Right Number: | 42C 183417-00 STATEMENT OF CLAIM | | | |
|---|---|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | |
| | Status: ACTIVE | | | |
| Owners: | DONNA M HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 | | | |
| | LES J HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 | | | |
| Priority Date: | JANUARY 1, 1960 | | | |
| *Type of Historical Right | 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 FOREST CREEK | | | |
| Source Type: | SURFACE WATER | | | |
| *Point of Diversion and I | *Point of Diversion and Means of Diversion: | | | |
| <u>ID</u> <u>Govt</u> | | | | |
| 1 Period of Diversio Diversion Means: | NENENW 19 4N 46E CUSTER n:JANUARY 1 TO DECEMBER 31 DAM | | | |

FEBRUARY 28, 2008 42C 183417-00 Page 2 of 2

ONSTREAM *Reservoir: **Govt Lot Otr Sec** Sec Twp <u>Rge</u> <u>County</u> 46E CUSTER SENENW 19 4N 17.00 FEET **Dam Height:** 14.00 FEET Depth: **Surface Area:** 1.00 ACRES Capacity: 5.60 ACRE-FEET THE SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY DNRC. Period of Use: **JANUARY 1 TO DECEMBER 31 Place of Use:** ID Acres Govt Lot Rge County Qtr Sec <u>Sec</u> Twp 4N 1 19 46E CUSTER SENENW THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 183418-00 STATEMENT OF CLAIM |
|--|---|
| | Version: 1 ORIGINAL RIGHT Status: ACTIVE |
| Owners: | T TRIANGLE RANCHES INC PO BOX 1517 MILES CITY, MT 59301 1517 |
| Priority Date: | DECEMBER 31, 1955 |
| Type of Historical Right | :USE |
| Purpose(use): | STOCK |
| Flow Rate: | 15.00 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 M <u>ID</u> <u>Govt I</u> | Lot <u>Qtr Sec Sec Twp Rge County</u> |
| 1 Diversion Means: | SESESW 2 2N 47E CUSTER WELL |
| Period of Use: | JANUARY 1 TO DECEMBER 31 |
| | |
| Place of Use: ID Acres Govt I | Lot Qtr Sec Sec Twp Rge County |
| 1 | SESESW 2 2N 47E CUSTER |
| ISSUES TO REPOR | INATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR AT TO THE WATER COURT. |

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C ABSTRACT OF WATER RIGHT CLAIM

IMPORTANT NOTICE

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| Water Right Number: | 42C 1834 | 1 9-00 S | TATEN | IENT O | F CLA | IM |
|------------------------------|-------------------------------------|-------------------------|------------------|------------------|-------|--|
| | Version: | 1 ORI(| GINAL I | RIGHT | | |
| | | Status: | AC | TIVE | | |
| Owners: | T TRIANGI PO BOX 19 MILES CIT | 517 | | | | |
| *Priority Date: | MAY 31, 1 | 962 | | | | |
| Type of Historical Right | : FILED | | | | | |
| Purpose(use): | STOCK | | | | | |
| Flow Rate: | 5.00 GPM | | | | | |
| *Volume: | STOCK W | ATERING NIT. ANIM | PURP IAL 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: | GROUNDV | VATER | | | | |
| Source Type: | GRO | UNDWAT | ER | | | |
| Point of Diversion and M | Aeans of Div | ersion: | | | | |
| $\frac{\text{ID}}{1}$ Govt I | | <u>Qtr Sec</u> ESESW | <u>Sec</u> 13 | <u>Twp</u> 4N | | <u>County</u> CUSTER |
| • | WELL | LOLOW | 15 | 411 | 47 C | COSTER |
| Period of Use: | JANUARY | 1 TO DEC | CEMBE | R 31 | | |
| Place of Use: | | | | | | |
| ID Acres Govt I | Lot | <u>Qtr Sec</u> | Sec | Twp | Rge | County |
| 1 | | ESESW | 13 | 4N | | CUSTER |
| | | | | | | O SIGNIFICANT FACTS, DATA, OR |
| ISSUES TO REPOR | | | | | | o statisticities inclusion, or |
| | | | 0001 | | | |

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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."

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: | 42C 183420-00 STATEMENT OF CLAIM |
|---------------------------|---|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | JEFFREY C PEILA PO BOX 69 SHEPHERD, MT 59079 |
| | SUSAN H PEILA PO BOX 69 SHEPHERD, MT 59079 |
| *Priority Date: | DECEMBER 31, 1898 |
| Type of Historical Right | : FILED |
| Purpose(use): | IRRIGATION |
| Irrigation Type: | WATER SPREADING |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. |
| Volume: | 277.50 AC-FT |
| Climatic Areas | : 1 - HIGH |
| Maximum Acres: | 185.00 |
| *Source Name: | UNNAMED TRIBUTARY OF TONGUE RIVER |
| Source Type: | SURFACE WATER |
| | ALSO KNOWN AS KIRWAN CREEK |
| *Point of Diversion and M | Means of Diversion: |
| <u>ID</u> <u>Govt I</u> | |
| 1 Diversion Means: | S2S2 10 4N 47E CUSTER DIKE |
| 2 | NWNW 14 4N 47E CUSTER |
| Diversion Means: | DIKE |

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| *Point of | *Point of Diversion and Means of Diversion: | | | | | | |
|----------------|---|-------------|----------------------|------------------|------------------|--|--|
| ID | <u>Govt I</u> | Lot Qtr Sec | | Sec | Twp | Rge County | |
| 3 | | | N2N2N2 | 15 | 4N | 47E CUSTER | |
| Di | version Means: | DIKE | | | | | |
| *Period o | of Use: | JANUAR | Y 1 TO DEC | CEMBE | R 31 | | |
| | | | | | | | |
| *Place of Use: | | | | | | | |
| | | | | | | | |
| ID | <u>Acres</u> <u>Govt I</u> | <u>lot</u> | <u>Qtr Sec</u> | <u>Sec</u> | Twp | Rge County | |
| <u>ID</u> 1 | <u>Acres</u> <u>Govt I</u> 150.00 | <u>.ot</u> | <u>Qtr Sec</u> S2 | <u>Sec</u> 10 | <u>Twp</u> 4N | <u>Rge</u> <u>County</u> 47E CUSTER | |
| | | <u>.ot</u> | | | | | |
| 1 | 150.00 | <u>.ot</u> | S2 | 10 | 4N | 47E CUSTER | |
| 1 2 | 150.00 10.00 | <u>.ot</u> | SWSW | 10 11 | 4N 4N | 47E CUSTER 47E CUSTER | |
| 1 2 3 | 150.00 10.00 15.00 | <u>.ot</u> | SWSW NWNW | 10 11 14 | 4N 4N 4N | 47E CUSTER 47E CUSTER 47E CUSTER | |

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 EDGAR BLOCK AND ELIZABETH HUNTER'S 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: | 42C 183421-00 STATEMENT OF CLAIM | | | | |
|--------------------------------|---|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | |
| | Status: ACTIVE | | | | |
| Owners: | DONNA M HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 | | | | |
| | LES J HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 | | | | |
| Priority Date: | DECEMBER 31, 1940 | | | | |
| Type of Historical Right | :USE | | | | |
| Purpose(use): | IRRIGATION | | | | |
| Irrigation Type: | WATER SPREADING | | | | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. | | | | |
| Volume: | 37.50 AC-FT | | | | |
| Climatic Area | : 1 - HIGH | | | | |
| Maximum Acres: | 23.00 | | | | |
| Source Name: | UNNAMED TRIBUTARY OF TONGUE RIVER | | | | |
| Source Type: | SURFACE WATER | | | | |
| *Point of Diversion and N | Aeans of Diversion: | | | | |
| $\frac{\mathbf{ID}}{1}$ Govt 1 | Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> SESWNW 6 3N 47E CUSTER | | | | |
| Diversion Means: | DIKE | | | | |
| *Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | |

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*Place of Use:

| ID | <u>Acres</u> Gov | vt Lot | <u>Qtr Sec</u> | Sec | Twp | <u>Rge</u> <u>County</u> |
|--------|------------------|--------|----------------|-----|-----|--------------------------|
| 1 | 22.00 | 5 | NW | 6 | 3N | 47E CUSTER |
| 2 | 1.00 | 7 | NWSW | 6 | 3N | 46E CUSTER |
| Total: | 23.00 | | | | | |

Remarks:

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 6/21/2007.

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."

PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 18342 | 2 2-00 S | TATEN | /IENT O | F CLA | MM |
|--|------------------------------------|-------------------------|------------------|------------------|-------|-----------------------------------|
| | Version: | 1 ORI(| GINAL | RIGHT | | |
| | | Status: | AC | CTIVE | | |
| Owners: | DONNA M HC 32 BO) MILES CIT | X 4311 | 301 | | | |
| | LES J HIR HC 32 BO MILES CIT | X 4311 | 301 | | | |
| *Priority Date: | AUGUST 3 | 81, 1970 | | | | |
| Type of Historical Right | :USE | | | | | |
| Purpose(use): | IRRIGATIC | DN | | | | |
| Irrigation Type: | WATER SI | PREADIN | G | | | |
| *Flow Rate: | A SPECIFI ONSTREA | | | HAS NC | T BEE | EN DECREED FOR THIS USE FROM THIS |
| Volume: | 19.20 AC-F | -T | | | | |
| Climatic Area: | : 1 - HIGH | | | | | |
| Maximum Acres: | 120.00 | | | | | |
| *Source Name: | FOREST C | REEK | | | | |
| Source Type: | SURF | FACE WA | TER | | | |
| *Point of Diversion and N | Aeans of Div | ersion: | | | | |
| <u>ID</u> <u>Govt I</u> | | <u>Qtr Sec</u> ESWSE | <u>Sec</u> 21 | <u>Twp</u> 4N | | <u>County</u> CUSTER |
| Period of Diversion | | | | | 40L | COSTER |
| Diversion Means: | | - | | | | |
| 2 | | SESE | 36 | 4N | 46E | CUSTER |
| *Period of Diversior Diversion Means: | | 1 TO DE | CEMBE | ER 31 | | |

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*Reservoir: ONSTREAM

| <u>Govt</u> | Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NESESE 36 4N 46E CUSTER |
|----------------|--|
| Dam Height: | 17.00 FEET |
| Depth: | 14.00 FEET |
| Surface Area: | 2.00 ACRES |
| Capacity: | 11.00 ACRE-FEET |
| | THE SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY DNRC. |
| 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 | 60.00 | SW | 31 | 4N | 46E CUSTER | ξ |
| 2 | 40.00 | SWNE | 1 | 3N | 46E CUSTER | 2 |
| 3 | 20.00 | SENW | 1 | ЗN | 46E CUSTER | ζ |
| Total: | 120.00 | | | | | |

Remarks:

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

THE CLAIMED VOLUME APPEARS TO BE INADEQUATE FOR THE CLAIMED PURPOSE.

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

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

IMPORTANT NOTICE

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| Water Right Number: | 42C 183423-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | |
|--|--|--|--|--|--|
| Owners: | DONNA M HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 | | | | |
| | LES J HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 | | | | |
| *Priority Date: | DECEMBER 31, 1958 | | | | |
| Type of Historical Right | :USE | | | | |
| Purpose(use): | IRRIGATION | | | | |
| Irrigation Type: | WATER SPREADING | | | | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. | | | | |
| Volume: | 27.00 AC-FT | | | | |
| Climatic Area | : 1 - HIGH | | | | |
| Maximum Acres: | 24.00 | | | | |
| Source Name: | UNNAMED TRIBUTARY OF TONGUE RIVER | | | | |
| Source Type: | SURFACE WATER | | | | |
| *Point of Diversion and M | *Point of Diversion and Means of Diversion: | | | | |
| IDGovt I1Period of DiversionDiversion Means: | Lot <u>Qtr Sec Sec Twp</u> <u>Rge</u> <u>County</u> NESWNE 6 3N 47E CUSTER n:JANUARY 1 TO DECEMBER 31 DAM | | | | |

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| *Reservoir: | ONSTREAM | | | | |
|-------------|----------------|--------------------------|-----------------|------------------|---|
| | Govt Lot | <u>Qtr Sec</u> NESWNE | <u>Sec</u> 6 | <u>Twp</u> 3N | |
| Dan | n Height: | 15.00 FEE | Т | | |
| Dep | th: | 12.00 FEE | Т | | |
| Sur | face Area: | 2.60 ACF | RES | | |
| Cap | eacity: | 12.48 ACF | RE-FEE | Г | |
| | | , | AM HEI | GHT, Al | AND SURFACE AREA HAVE BEEN ESTIMATED BY |
| Period of U | Jse: JANL | JARY 1 TO DE | CEMBE | R 31 | |
| Place of Us | se: | | | | |
| <u>ID</u> | Acres Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | <u>p Rge County</u> |
| 1 | 24.00 | NWNE | 6 | ЗN | A7E CUSTER |
| Total: | 24.00 | | | | |

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 6/21/2007: PLACE OF USE, TYPE OF RIGHT.

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: | 42C 183424-00 STATEMENT OF CLAIM | | | | | |
|------------------------------------|---|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | | |
| | | | | | | |
| Owners: | BEATRICE A SCHONENBACH PO BOX 1331 SUNDANCE, WY 82729 1331 | | | | | |
| | FRANCIS L SCHONENBACH PO BOX 206 ASHLAND, MT 59003 | | | | | |
| *Priority Date: | DECEMBER 31, 1950 | | | | | |
| Type of Historical Right | t: USE | | | | | |
| *Purpose(use): | MULTIPLE DOMESTIC | | | | | |
| Flow Rate: | 10.00 GPM | | | | | |
| Volume: | 1.50 AC-FT | | | | | |
| Households: | 2 | | | | | |
| Source Name: | GROUNDWATER | | | | | |
| Source Type: | GROUNDWATER | | | | | |
| *Point of Diversion and I | Means of Diversion: | | | | | |
| \underline{ID} <u>Govt</u> | | | | | | |
| 1 Diversion Means: | SESENW 11 3S 44E ROSEBUD | | | | | |
| *Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | | |
| | | | | | | |
| *Place of Use: | Lat Ota Saa Saa Tuun Baa County | | | | | |
| <u>ID</u> <u>Acres Govt I</u> 1 | Lot <u>Qtr Sec Sec Twp</u> <u>Rge</u> <u>County</u> SESENW 11 3S 44E ROSEBUD | | | | | |
| • | | | | | | |

Remarks:

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

AS OF 3/07/2007 , THIS WATER RIGHT APPEARS TO BE OWNED BY LARRY PAYNE JR , PO BOX 141 , ASHLAND MT , 59003.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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: | 42C 183425-00 STATEMENT OF CLAIM | | | | | |
|---|--|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | | |
| Owners: | BEATRICE A SCHONENBACH PO BOX 1331 SUNDANCE, WY 82729 1331 | | | | | |
| | FRANCIS L SCHONENBACH PO BOX 206 ASHLAND, MT 59003 | | | | | |
| *Priority Date: | DECEMBER 31, 1951 | | | | | |
| Type of Historical Right: USE | | | | | | |
| *Purpose(use): | MULTIPLE DOMESTIC | | | | | |
| Flow Rate: | 10.00 GPM | | | | | |
| Volume: | 1.50 AC-FT | | | | | |
| Households: | 2 | | | | | |
| Source Name: | GROUNDWATER | | | | | |
| Source Type: | GROUNDWATER | | | | | |
| *Point of Diversion and Means of Diversion: | | | | | | |
| ID Govt | NENESW 11 3S 44E ROSEBUD | | | | | |
| Diversion Means: | | | | | | |
| *Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | | |
| *Place of Use: | | | | | | |
| <u>ID</u> <u>Acres Govt 1</u> | | | | | | |
| 1 | NENESW 11 3S 44E ROSEBUD | | | | | |

Remarks:

Page 2 of 2

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

AS OF 03/07/2007 , THIS WATER RIGHT APPEARS TO BE OWNED BY MAE GRESS , PO BOX 1331 , ASHLAND MT , 59003.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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: | 42C 183426-00 | STATE | MENT O | FCLA | AIM | | |
|--|--|---------------|--------|------|--------|--|--|
| | Version: 1 C | RIGINAL | RIGHT | | | | |
| | Statu | s: AC | CTIVE | | | | |
| Owners: | PATRICIA R LUC 2109 MAIN ST MILES CITY, MT | | | | | | |
| *Priority Date: | DECEMBER 31, 1938 | | | | | | |
| Type of Historical Right: USE | | | | | | | |
| Purpose(use): | DOMESTIC | | | | | | |
| *Flow Rate: | 10.00 GPM | | | | | | |
| Volume: | 0.50 AC-FT | | | | | | |
| Households: | 1 | | | | | | |
| Source Name: | GROUNDWATER | | | | | | |
| Source Type: | GROUNDWATER | | | | | | |
| *Point of Diversion and Means of Diversion: | | | | | | | |
| ID Govt | | | Twp | | County | | |
| 1 | 1 NENWN | E 4 | 7N | 47E | CUSTER | | |
| Diversion Means: | | | | | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | | | |
| Place of Use: | | | | | | | |
| ID <u>Acres</u> Govt 1 | <u>ot</u> <u>Qtr S</u> | ec <u>Sec</u> | Twp | Rge | County | | |
| 1 | 1 NENWN | | 7N | | CUSTER | | |
| THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT. | | | | | | | |

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 183 | 427-00 S | TATEN | IENT O | F CLAIM | | |
|---|---------------|-----------------------------------|-------|--------|--------------------------|--|--|
| | Version: | 1 ORI0 | GINAL | RIGHT | | | |
| | | Status: | AC | TIVE | | | |
| Owners: | 2109 MA | A R LUCAS IN ST ITY, MT 593 | | | | | |
| Priority Date: | MAY 12, | 1951 | | | | | |
| Type of Historical Righ | t:USE | | | | | | |
| Purpose(use): | DOMEST | TC | | | | | |
| Flow Rate: | 15.00 GF | ΡM | | | | | |
| Volume: | 2.00 AC- | FT | | | | | |
| Households: | 1 | | | | | | |
| Maximum Acres: | 1.50 | | | | | | |
| Source Name: | GROUNE | WATER | | | | | |
| Source Type: | GR | OUNDWAT | ER | | | | |
| *Point of Diversion and | Means of D | iversion: | | | | | |
| <u>ID</u> <u>Govt</u> | | <u>Qtr Sec</u> | Sec | Twp | <u>Rge</u> <u>County</u> | | |
| 1 | - | NENWNE | 4 | 7N | 47E CUSTER | | |
| Diversion Means: | | | | | | | |
| Period of Use: JANUARY 1 TO DECEMBER 31 | | | | | | | |
| Place of Use: | Place of Use: | | | | | | |
| <u>ID</u> <u>Acres Govt</u> | Lot | <u>Qtr Sec</u> | Sec | Twp | Rge County | | |
| 1 1.50 | 1 | NENWNE | 4 | 7N | 47E CUSTER | | |
| Total: 1.50 | | | | | | | |

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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. 183427-00 183428-00

103427-00 103420-00

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

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

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

PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 183428-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE |
|---|---|
| Owners: | PATRICIA R LUCAS 2109 MAIN ST MILES CITY, MT 59301 |
| Priority Date: | MAY 12, 1951 |
| Type of Historical Right | t: USE |
| Purpose(use): Flow Rate: | STOCK 15.00 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 I | Means of Diversion: |
| ID 1 Diversion Means: | Lot <u>Qtr Sec Sec Twp</u> <u>Rge</u> <u>County</u> 1 NENWNE 4 7N 47E CUSTER WELL |
| Period of Use: | JANUARY 1 TO DECEMBER 31 |
| Place of Use: <u>ID Acres</u> <u>Govt 1</u> 1 | Lot <u>Qtr Sec Sec Twp Rge County</u> 1 NENWNE 4 7N 47E CUSTER |

Page 2 of 2

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. 183427-00 183428-00

103427-00 103420-00

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF 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: | 42C 183429-00 STATEMENT OF CLAIM |
|--------------------------|--|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | JOHN L RILEY 74 PUMPKIN CREEK RD VOLBORG, MT 59351 |
| | JOYCE L RILEY 47 RILEY RD VOLBORG, MT 59351 |
| | MICHAEL L RILEY 12 SOLDIER CREEK RD VOLBORG, MT 59351 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS. |
| Priority Date: | MARCH 13, 1940 |
| Type of Historical Right | ::USE |
| Purpose(use): | IRRIGATION |
| Irrigation Type: | WATER SPREADING |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. |
| *Volume: | 20.00 AC-FT |
| | THE VOLUME OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 2.0 ACRE- FEET PER ACRE GUIDELINE FOR WATER SPREADING. THE VOLUME MAY BE CONTESTED BY PROPER OBJECTION. |
| Climatic Area | : 2 - MODERATELY HIGH |
| Maximum Acres: | 10.00 |
| Source Name: | SPRING CREEK |
| Source Type: | SURFACE WATER |

FEBRUARY 28, 2008 42C 183429-00

Page 2 of 2

| Point of Diversion and Means of Diversion: | | | | | | | | |
|--|----------------------------|------------|----------------|------------|------|--------------------------|--|--|
| <u>ID</u> | <u>Govt I</u> | Lot | <u>Qtr Sec</u> | Sec | Twp | <u>Rge</u> <u>County</u> | | |
| 1 | | | NENENW | 28 | 1S | 49E POWDER RIVER | | |
| Di | version Means: | DIKE | | | | | | |
| Period | of Use: | JANUA | RY 1 TO DEC | CEMBE | R 31 | | | |
| | | | | | | | | |
| Place of | f Use: | | | | | | | |
| <u>ID</u> | <u>Acres</u> <u>Govt I</u> | <u>lot</u> | <u>Qtr Sec</u> | <u>Sec</u> | Twp | <u>Rge</u> <u>County</u> | | |
| 1 | 5.00 | | E2NENW | 28 | 1S | 49E POWDER RIVER | | |
| 2 | 5.00 | | W2NWNE | 28 | 1S | 49E POWDER RIVER | | |
| Total: | 10.00 | | | | | | | |

Remarks:

THE TYPE OF HISTORICAL RIGHT WAS AMENDED BY THE CLAIMANT ON 09/10/2007.

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."

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: | 42C 183430-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE |
|--------------------------|--|
| Owners: | JOYCE L RILEY 47 RILEY RD VOLBORG, MT 59351 |
| | MICHAEL L RILEY 12 SOLDIER CREEK RD VOLBORG, MT 59351 OWNERSHIP UPDATE PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT MAY BE SPLIT INTO SEPARATE WATER RIGHTS UPON REQUEST OF THE OWNERS. |
| Priority Date: | MARCH 13, 1940 |
| Type of Historical Right | t: USE |
| Purpose(use): | IRRIGATION |
| Irrigation Type: | WATER SPREADING |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. |
| *Volume: | 86.40 AC-FT |
| | THE VOLUME OF THIS CLAIM HAS BEEN REDUCED TO THE 2.0 ACRE-FEET PER ACRE GUIDELINE FOR WATER SPREADING. THE VOLUME MAY BE CONTESTED BY PROPER OBJECTION. |
| Climatic Area | : 2 - MODERATELY HIGH |
| Maximum Acres: | 43.20 |
| *Source Name: | UNNAMED TRIBUTARY OF SPRING CREEK |
| Source Type: | SURFACE WATER |

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Page 2 of 2

| Point o | Point of Diversion and Means of Diversion: | | | | | | | | |
|--------------------------------------|--|------------|----------------------|-----------------|------------------|--|--|--|--|
| <u>ID</u> | <u>Govt I</u> | Lot | <u>Qtr Sec</u> | Sec | <u>Twp</u> | <u>Rge</u> <u>County</u> | | | |
| 1 | | | NWNESW | 2 | 2S | 49E POWDER RIVER | | | |
| D | iversion Means: | DIKE | | | | | | | |
| Period | of Use: | JANUA | RY 1 TO DEC | CEMBE | R 31 | | | | |
| Place of <u>ID</u> 1 Total: | f Use: <u>Acres</u> <u>Govt I</u> 43.20 43.20 | <u>.ot</u> | <u>Qtr Sec</u> NW | <u>Sec</u> 2 | <u>Twp</u> 2S | <u>Rge</u> <u>County</u> 49E POWDER RIVER | | | |

Remarks:

THE MAXIMUM ACRES WAS AMENDED BY THE CLAIMANT ON 09/10/2007.

THE TYPE OF HISTORICAL RIGHT WAS AMENDED BY THE CLAIMANT ON 09/20/2007.

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."

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: | 42C 183431-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | |
|--|---|--|--|--|--|
| Owners: | JOHN L RILEY 74 PUMPKIN CREEK RD VOLBORG, MT 59351 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 28, 1982 | | | | |
| | THIS IS AN EXISTING RIGHT. ITS POST-1973 PRIORITY DATE IS DECREED PURSUANT TO SECTION 85-2-306(4) MCA. | | | | |
| Type of Historical Right | :USE | | | | |
| Purpose(use): | STOCK | | | | |
| Flow Rate: | 5.00 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: | | | | | |
| $\frac{ID}{1}$ Govt 1 | | | | | |
| Diversion Means: | | | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | |

Place of Use:

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| <u>ID</u> | <u>Acres</u> Govt Lot | <u>Qtr Sec</u> | Sec | Twp | <u>Rge</u> <u>County</u> |
|-----------|-----------------------|----------------|-----|-----|--------------------------|
| 1 | | SWNWNE | 33 | 5N | 49E CUSTER |

Remarks:

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

THE PRIORITY DATE 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.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 183432-00 STATEMENT OF CLAIM | | | | | |
|---|---|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | | |
| | Status: ACTIVE | | | | | |
| Owners: | JOHN L RILEY 74 PUMPKIN CREEK RD VOLBORG, MT 59351 | | | | | |
| | JOYCE L RILEY 47 RILEY RD VOLBORG, MT 59351 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 31, 1963 | | | | | |
| 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 LITTLE PUMPKIN 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> SENWSW 12 1S 48E POWDER RIVER | | | | | |
| • | n:JANUARY 1 TO DECEMBER 31 | | | | | |
| Diversion Means: | DAM | | | | | |

FEBRUARY 28, 2008 42C 183432-00 Page 2 of 2

| Reservoir: ONSTREAM | |
|---------------------|--|
| Govt Lot | <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SENWSW 12 1S 48E POWDER RIVER |
| Dam Height: | 13.00 FEET |
| Depth: | 10.00 FEET |
| Surface Area: | 0.50 ACRES |
| Capacity: | 2.00 ACRE-FEET |
| THE (DNRC | CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY C. |
| Period of Use: JANU | ARY 1 TO DECEMBER 31 |
| Place of Use: | |
| ID Acres Govt Lot | <u>Qtr Sec Sec Twp Rge County</u> |
| 1 | SENWSW 12 1S 48E POWDER RIVER |

Remarks:

THE TYPE OF HISTORICAL RIGHT WAS AMENDED BY THE CLAIMANT ON 09/10/2007.

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."

IMPORTANT NOTICE

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| Water Right Number: | 42C 183433-00 | STATE | MENT O | F CLA | IM |
|---------------------------|--|----------|--------|-------|---|
| | | DRIGINAL | | | |
| | Statı | 1s: A | CTIVE | | |
| Owners: | SADIE F BREWE PO BOX 885 BAKER, MT 593 | | | | |
| Priority Date: | JANUARY 27, 18 | 397 | | | |
| Type of Historical Right | :DECREED | | | | |
| Purpose(use): | IRRIGATION | | | | |
| Irrigation Type: | FLOOD | | | | |
| Flow Rate: | 1.24 CFS | | | | |
| *Volume: | THE TOTAL VOL AMOUNT PUT T | | | | RIGHT SHALL NOT EXCEED THE SNEFICIAL USE. |
| Climatic Area: | : 1 - HIGH | | | | |
| Maximum Acres: | 50.00 | | | | |
| *Source Name: | TONGUE RIVER | | | | |
| Source Type: | SURFACE | WATER | | | |
| *Point of Diversion and N | Jeans of Diversion | : | | | |
| <u>ID</u> <u>Govt I</u> | | | Twp | | County |
| 1 | NESWS | W 23 | 1N | 44E | ROSEBUD |
| Diversion Means: | PUMP | | | | |
| 2 | NENES | SE 27 | 1N | 44E | ROSEBUD |
| Diversion Means: | APRIL 1 TO DEC | | | | |
| Period of Use: | APRIL I TO DEC | | I | | |
| Place of Use: | | | | | |
| ID <u>Acres</u> Govt I | | | Twp | | County |
| 1 15.00 | N2N2N | | 1N | | ROSEBUD |
| 2 35.00 | S | W 23 | 1N | 44E | ROSEBUD |

FEBRUARY 28, 2008 42C 183433-00

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| Place of Use: | | | | | | | | |
|---------------|----------------|----------------|------------|-----|--------------------------|--|--|--|
| ID | Acres Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | <u>Rge</u> <u>County</u> | | | |
| Total: | 50.00 | | | | | | | |

Remarks:

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

177250-00 177251-00 183433-00

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON 07/20/1988.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 184115-00 STATEMENT OF CLAIM | | | | |
|--|---|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | |
| | Status: ACTIVE | | | | |
| Owners: | JAMES W GUERCIO 1300 WALNUT ST, STE 200 BOULDER, CO 80302 5269 | | | | |
| Priority Date: | DECEMBER 31, 1940 | | | | |
| 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: | JOJO DRAW | | | | |
| Source Type: | SURFACE WATER | | | | |
| *Point of Diversion and I | Means of Diversion: | | | | |
| <u>ID</u> <u>Govt</u> | | | | | |
| 1 Period of Diversion Diversion Means: | SWNWNW 6 9S 45E POWDER RIVER n:JANUARY 1 TO DECEMBER 31 DAM | | | | |
| *Reservoir: ONSTRE | AM Reservoir Name: COSSITT RESERVOIR | | | | |
| <u>Govt I</u> | SWNWNW 6 9S 45E POWDER RIVER | | | | |
| Depth: | 10.00 FEET | | | | |
| Surface Area: | 0.35 ACRES 1.40 ACRE-FEET | | | | |
| Capacity: | | | | | |

| FEBRUARY 28, 2008 |
|-------------------|
|-------------------|

42C 184115-00

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THE MAX. DEPTH, SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY DNRC.

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 | | SWNWNW | 6 | 9S | 45E POWDER RIVER |
| | | | | | |

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 184116-00 STATEMENT OF CLAIM |
|-------------------------|---|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | JAMES W GUERCIO 1300 WALNUT ST, STE 200 BOULDER, CO 80302 5269 |
| Priority Date: | APRIL 30, 1926 |
| 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 MAC ALISTER DRAW |
| Source Type: | SURFACE WATER |
| | ALSO KNOWN AS RIGBY CREEK. |
| *Point of Diversion and | Means of Diversion: |

| ID | <u>Govt I</u> | <u>lot</u> | <u>Qtr Sec</u> | <u>Sec</u> | Twp | Rge | <u>County</u> |
|--------|---------------|------------|----------------|------------|-----|-----|---------------|
| 1 | | | SWSENE | 6 | 9S | 45E | POWDER RIVER |
| Divers | ion Means: | DAM | | | | | |

FEBRUARY 28, 2008 42C 184116-00 Page 2 of 2

| *Reservoir: | ONSTREA | M Reservoi | r Name | : OLD | CELL | ٩R | |
|--------------|---------------------|-----------------------|--------------|-----------------|------------------|-------------------|-----------------------------------|
| | <u>Govt L</u> | ot <u>Qtr</u> SWS | | <u>Sec</u> 6 | <u>Twp</u> 9S | <u>Rge</u> 45E | <u>County</u> POWDER RIVER |
| Dam Dept | n Height: th: | 13.00 10.00 | | | | | |
| Surf | àce Area: acity: | | ACRE ACRE | - | | | |
| Ĩ | - | THE MAX. DEF DNRC. | PTH, SI | URFAC | E ARE | A AN | D CAPACITY HAVE BEEN ESTIMATED BY |
| *Period of U | Jse: | JANUARY 1 TO | D DECI | EMBEF | R 31 | | |
| *Place of Us | e: | | | | | | |
| ID | Acres Govt Lo | ot Qtı | : Sec | <u>Sec</u> | Twp | Rge | County |
| 1 | | SWS | ENE | 6 | 9S | 45E | POWDER RIVER |
| Romarks. | | | | | | | |

THE FOLLOWING ISSUES 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

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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: | 42C 184117-00 STATEMENT OF CLAIM |
|-------------------------|---|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | JAMES W GUERCIO 1300 WALNUT ST, STE 200 BOULDER, CO 80302 5269 |
| Priority Date: | APRIL 30, 1926 |
| 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 MAC ALISTER DRAW |
| Source Type: | SURFACE WATER |
| | ALSO KNOWN AS RIGBY CREEK |
| *Point of Diversion and | Means of Diversion: |

 ID
 Govt Lot
 Qtr Sec
 Sec
 Twp
 Rge
 County

 1
 NWNENE
 7
 9S
 45E
 POWDER RIVER

 Period of Diversion: JANUARY 1 TO DECEMBER 31
 Diversion Means:
 DAM

FEBRUARY 28, 2008 42C 184117-00 Page 2 of 2

ONSTREAM Reservoir Name: RIGBY RESERVOIR *Reservoir: Rge County 45E POWDER RIVER **Govt Lot Otr Sec** Sec Twp NWNENE 9S 7 10.00 FEET Depth: **Surface Area:** 0.50 ACRES **Capacity:** 2.00 ACRE-FEET THE MAX. DEPTH. SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY DNRC. **JANUARY 1 TO DECEMBER 31** Period of Use: Place of Use: ID Acres Govt Lot **Qtr Sec** Twp Rge County Sec 1 NWNENE 7 9S 45E POWDER RIVER THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 184118-00 STATEMENT OF CLAIM | | | |
|------------------------------|---|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | |
| | Status: ACTIVE | | | |
| Owners: | JAMES W GUERCIO 1300 WALNUT ST, STE 200 BOULDER, CO 80302 5269 | | | |
| Priority Date: | DECEMBER 31, 1960 | | | |
| Type of Historical Right | t: USE | | | |
| Purpose(use): | STOCK | | | |
| Flow Rate: | 5.00 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 | | | |
| | ALSO KNOWN AS RIGBY WELL | | | |
| Point of Diversion and N | Means of Diversion: | | | |
| <u>ID</u> <u>Govt I</u> 1 | Lot <u>Qtr Sec Sec Twp Rge County</u> NENENW 7 9S 45E POWDER RIVER | | | |
| Diversion Means: | | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | |
| Place of Use: | | | | |
| ID <u>Acres</u> Govt I | Lot <u>Qtr Sec Sec Twp Rge County</u> | | | |
| 1 | NENENW 7 9S 45E POWDER RIVER | | | |
| ISSUES TO REPOR | INATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR RT TO THE WATER COURT. | | | |

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 184123-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | |
|--|---|--|--|--|--|
| Owners: | ALAN LLOYD 2 LLOYD RD OTTER, MT 59062 | | | | |
| | JANICE LLOYD 2 LLOYD RD OTTER, MT 59062 | | | | |
| Priority Date: | MARCH 27, 1926 | | | | |
| 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. | | | | |
| *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: | MUD SPRINGS | | | | |
| Source Type: | SURFACE WATER | | | | |
| Point of Diversion and Means of Diversion: | | | | | |
| $\frac{\text{ID}}{1}$ Govt | Lot <u>Qtr Sec Sec Twp Rge County</u> SENWSE 25 8S 44E BIG HORN | | | | |
| Diversion Means: | LIVESTOCK DIRECT FROM SOURCE | | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | |

FEBRUARY 28, 2008 42C 184123-00

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Place of Use:

| <u>ID</u> | <u>Acres</u> Govt Lot | <u>Qtr Sec</u> | Sec | Twp | <u>Rge</u> <u>County</u> |
|-----------|-----------------------|----------------|-----|-----|--------------------------|
| 1 | | SENWSE | 25 | 8S | 44E BIG HORN |
| | | | | | |

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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: | 42C 184124-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | |
|--|---|--|--|--|--|
| Owners: | ALAN LLOYD 2 LLOYD RD OTTER, MT 59062 | | | | |
| | JANICE LLOYD 2 LLOYD RD OTTER, MT 59062 | | | | |
| *Priority Date: | APRIL 30, 1940 | | | | |
| 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: | MUD SPRINGS CREEK | | | | |
| Source Type: | SURFACE WATER | | | | |
| Point of Diversion and Means of Diversion: | | | | | |
| <u>ID</u> <u>Govt</u> | | | | | |
| I | SWSENW 30 8S 45E POWDER RIVER n:JANUARY 1 TO DECEMBER 31 DAM | | | | |

FEBRUARY 28, 2008 42C 184124-00 Page 2 of 2

| AM Reservoir Name: MUD SPRINGS RESERVOIR |
|---|
| Lot <u>Qtr Sec</u> Sec <u>Twp</u> <u>Rge</u> <u>County</u> SWSENW 30 8S 45E POWDER RIVER |
| 18.00 FEET |
| 15.00 FEET |
| 2.00 ACRES |
| 12.00 ACRE-FEET |
| THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC. |
| JANUARY 1 TO DECEMBER 31 |
| |
| Lot <u>Qtr Sec Sec Twp Rge County</u> |
| SWSENW 30 8S 45E POWDER RIVER |
| INATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR AT TO THE WATER COURT. |
| |

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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: | 42C 184125-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | |
|---|---|--|--|--|
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 | | | |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 | | | |
| *Priority Date: | MARCH 31, 1958 | | | |
| Type of Historical Righ | it: 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 DAVIDSON DRAW | | | |
| Source Type: | SURFACE WATER | | | |
| *Point of Diversion and Means of Diversion: | | | | |
| $\frac{\text{ID}}{1}$ Govt | Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWSWNW 18 8S 45E POWDER RIVER | | | |
| Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: DAM | | | | |

FEBRUARY 28, 2008 42C 184125-00 Page 2 of 2

| *Reservoir: | ONSTREAM | AM Reservoir Name: UPPER STEVENS CORNER RESERVOIR | | | | |
|--------------------|------------------------------|---|------------------|------------------|-------------------|-----------------------------------|
| | Govt Lot | <u>Qtr Sec</u> NWSWNW | <u>Sec</u> 18 | <u>Twp</u> 8S | <u>Rge</u> 45E | <u>County</u> POWDER RIVER |
| Dam | Height: | 13.00 FEET | - | | | |
| Depth | n: | 10.00 FEET | - | | | |
| Surfa | ce Area: | 0.80 ACRI | ES | | | |
| Capa | city: | 3.20 ACRI | E-FEET | Γ | | |
| | THE DNR | | M HEIC | GHT, AN | ND SU | RFACE AREA HAVE BEEN ESTIMATED BY |
| Period of Us | e: JAN | UARY 1 TO DEC | EMBE | R 31 | | |
| Place of Use | : | | | | | |
| <u>ID</u> <u>A</u> | <u>Acres</u> <u>Govt Lot</u> | <u>Qtr Sec</u> | Sec | Twp | <u>Rge</u> | County |
| 1 | | N2SWNW | 18 | 8S | 45E | POWDER RIVER |
| | RC EXAMINAT TO REPORT TO | | | | ND NO | O SIGNIFICANT FACTS, DATA, OR |

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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: | 42C 184126-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | |
|---|---|--|--|--|
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 | | | |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 | | | |
| *Priority Date: | MAY 31, 1945 | | | |
| 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 MUD SPRINGS CREEK | | | |
| Source Type: | e: SURFACE WATER | | | |
| *Point of Diversion and Means of Diversion: | | | | |
| ID Govt Lot Qtr Sec Sec Twp Rge County 1 NESWNE 19 8S 45E POWDER RIVER Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: DAM | | | | |

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| *Reservoir: | ONSTREAM | EAM Reservoir Name: LOWER STEVENS CORNER RESERVOIR | | | | |
|--|------------------------------|--|---------------------------|------------------------|------------------------------------|--|
| | Govt Lot | <u>Qtr Sec</u> E2SWNE | <u>Sec</u> <u>T</u> 19 | wp <u>Rg</u> 8S 45E | County POWDER RIVER | |
| Dam 1 | Height: | 13.00 FEET | | | | |
| Depth | 1: | 10.00 FEET | | | | |
| Surfa | ce Area: | 0.75 ACRE | S | | | |
| Capa | city: | 3.00 ACRE | -FEET | | | |
| | THE DNR | , | 1 HEIGH | T, AND S | URFACE AREA HAVE BEEN ESTIMATED BY | |
| Period of Us | e: JAN | JARY 1 TO DECE | EMBER | 31 | | |
| Place of Use | : | | | | | |
| <u>ID</u> <u>A</u> | <u>Acres</u> <u>Govt Lot</u> | <u>Qtr Sec</u> | <u>Sec</u> <u>T</u> | wp Rge | County | |
| 1 | | E2SWNE | 19 | 8S 45E | POWDER RIVER | |
| THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT. | | | | | | |

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 184127-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | |
|--|---|--|--|--|--|
| Owners: | ALAN LLOYD 2 LLOYD RD OTTER, MT 59062 | | | | |
| | JANICE LLOYD 2 LLOYD RD OTTER, MT 59062 | | | | |
| *Priority Date: | DECEMBER 31, 1938 | | | | |
| 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. | | | | |
| *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 DAVIDSON DRAW | | | | |
| Source Type: | SURFACE WATER | | | | |
| | ALSO KNOWN AS FRAIZER SPRING | | | | |
| Point of Diversion and Means of Diversion: | | | | | |
| <u>ID</u> <u>Govt</u> | Lot <u>Qtr Sec Sec Twp</u> <u>Rge</u> <u>County</u> NESESW 24 8S 44E BIG HORN | | | | |
| Diversion Means: | | | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | |
| | | | | | |

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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 | | NESESW | 24 | 8S | 44E BIG HORN |
| | | | | | |

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 184128-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | |
|---|---|--|--|--|--|
| Owners: | ALAN LLOYD 2 LLOYD RD OTTER, MT 59062 | | | | |
| | JANICE LLOYD 2 LLOYD RD OTTER, MT 59062 | | | | |
| *Priority Date: | MAY 31, 1940 | | | | |
| 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 DAVIDSON DRAW | | | | |
| Source Type: | SURFACE WATER | | | | |
| *Point of Diversion and Means of Diversion: | | | | | |
| IDGovt1Period of DiversioDiversion Means: | Lot <u>Qtr Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWSENW 24 8S 44E BIG HORN n:JANUARY 1 TO DECEMBER 31 DAM | | | | |

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ONSTREAM Reservoir Name: TWIN RESERVOIR #1 **Reservoir: Govt Lot Otr Sec** Sec Twp Rge County 44E BIG HORN NWSENW 24 **8**S 13.00 FEET **Dam Height:** 10.00 FEET Depth: Surface Area: 0.90 ACRES **Capacity:** 3.60 ACRE-FEET THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC. **JANUARY 1 TO DECEMBER 31 Period of Use:** Place of Use: ID Acres Govt Lot Qtr Sec Rge County Sec Twp 1 NW 24 44E BIG HORN 8S THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 184129-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | |
|---|---|--|--|--|
| Owners: | ALAN LLOYD 2 LLOYD RD OTTER, MT 59062 | | | |
| | JANICE LLOYD 2 LLOYD RD OTTER, MT 59062 | | | |
| *Priority Date: | MAY 31, 1940 | | | |
| 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 DAVIDSON DRAW | | | |
| Source Type: | SURFACE WATER | | | |
| *Point of Diversion and Means of Diversion: | | | | |
| ID 1GovtPeriod of DiversioDiversion Means: | Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWSENW 24 8S 44E BIG HORN n:JANUARY 1 TO DECEMBER 31 DAM | | | |
| | | | | |

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ONSTREAM Reservoir Name: TWIN RESERVOIR #2 **Reservoir: Govt Lot Otr Sec** Sec Twp Rge County 44E BIG HORN NWSENW 24 8S 15.00 FEET **Dam Height:** 12.00 FEET Depth: Surface Area: 0.90 ACRES **Capacity:** 4.30 ACRE-FEET THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC. **JANUARY 1 TO DECEMBER 31 Period of Use:** Place of Use: ID Acres Govt Lot Qtr Sec Rge County Sec Twp 1 NW 24 44E BIG HORN 8S THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 184130-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE |
|---|---|
| Owners: | ALAN LLOYD 2 LLOYD RD OTTER, MT 59062 |
| | JANICE LLOYD 2 LLOYD RD OTTER, MT 59062 |
| *Priority Date: | APRIL 30, 1936 |
| Type of Historical Rig | nt: 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 DAVIDSON DRAW |
| Source Type: | SURFACE WATER |
| *Point of Diversion and | Means of Diversion: |
| IDGovt1Period of DiversionDiversion Means | NWSWSW 24 8S 44E BIG HORN Den: JANUARY 1 TO DECEMBER 31 |

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ONSTREAM Reservoir Name: FRAZIER FIELD RESERVOIR *Reservoir: Rge
44ECounty
BIG HORN **Govt Lot Otr Sec** Sec Twp NWSWSW 24 8S 10.00 FEET Depth: **Surface Area:** 0.25 ACRES **Capacity:** 1.00 ACRE-FEET THE MAX. DEPTH. SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY DNRC. **JANUARY 1 TO DECEMBER 31** Period of Use: Place of Use: ID Acres Govt Lot **Qtr Sec** Twp Rge County Sec 44E BIG HORN 1 NWSWSW 24 8S THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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: | 42C 184131-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE |
|----------------------------------|---|
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 |
| Priority Date: | DECEMBER 31, 1926 |
| 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. |
| *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 FINN CREEK |
| Source Type: | SURFACE WATER |
| | ALSO KNOWN AS FINN CREEK SPRING. |
| Point of Diversion and I | Means of Diversion: |
| \underline{ID}_{4} <u>Govt</u> | |
| 1 Diversion Means: | NWSENW 28 8S 45E POWDER RIVER LIVESTOCK DIRECT FROM SOURCE |
| Period of Use: | JANUARY 1 TO DECEMBER 31 |
| | |

Place of Use:

| <u>ID</u> | Acres Govt Lot | <u>Qtr Sec</u> | Sec | Twp | <u>Rge</u> <u>County</u> |
|-----------|----------------|----------------|-----|-----|--------------------------|
| 1 | | NWSENW | 28 | 8S | 45E POWDER RIVER |
| | | | | | |

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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: | 42C 184132-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE |
|--|---|
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 |
| Priority Date: | MAY 31, 1950 |
| 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 MUD SPRINGS 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> SWSWNW 20 8S 45E POWDER RIVER |
| Period of Diversio Diversion Means: | n:JANUARY 1 TO DECEMBER 31 |

FEBRUARY 28, 2008 42C 184132-00 Page 2 of 2

ONSTREAM Reservoir Name: HOUSEPASTURE STOCK RES. *Reservoir: Rge County 45E POWDER RIVER **Govt Lot Otr Sec** Sec Twp SWSWNW 20 8S 10.00 FEET Depth: 1.00 ACRES **Surface Area: Capacity:** 4.00 ACRE-FEET THE MAX. DEPTH. SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY DNRC. **JANUARY 1 TO DECEMBER 31** Period of Use: Place of Use: ID Acres Govt Lot **Qtr Sec** Twp Rge County Sec 1 SWSWNW 20 **8**S 45E POWDER RIVER THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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: | 42C 184133-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE |
|--|---|
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 |
| Priority Date: | APRIL 30, 1955 |
| 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: | MUD SPRINGS CREEK |
| Source Type: | SURFACE WATER |
| *Point of Diversion and | Means of Diversion: |
| $\frac{\text{ID}}{1}$ Govt | Lot <u>Qtr Sec Sec Twp Rge</u> County NENWSW 20 8S 45E POWDER RIVER |
| Period of Diversio Diversion Means: | n:JANUARY 1 TO DECEMBER 31 |

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| Reservoir: | ONSTREAM | AM Reservoir Name: MAIN HOUSEPASTURE RESERVOIR | | | | |
|--------------------|-----------------|--|------------------|------------------|-------------------|---------------------------------|
| | <u>Govt Lot</u> | <u>Qtr Sec</u> NWNESW | <u>Sec</u> 20 | <u>Twp</u> 8S | <u>Rge</u> 45E | <u>County</u> POWDER RIVER |
| Depth | 1: | 8.00 FEET | Г | | | |
| Surfa | ce Area: | 4.00 ACR | ES | | | |
| Capao | city: | 12.80 ACR | E-FEE | Т | | |
| | | EE THE RESERVO ESERVOIR DATA. | DIR WO | ORKSHE | EET IN | I THE CLAIM FILE FOR ADDITIONAL |
| Period of Us | e: JA | NUARY 1 TO DEC | CEMBI | ER 31 | | |
| Place of Use: | : | | | | | |
| <u>ID</u> <u>A</u> | Acres Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | Rge | <u>County</u> |
| 1 | | NENWSW | 20 | 8S | 45E | POWDER RIVER |
| | | ATION OF THIS FO THE WATER | | | ND N | O SIGNIFICANT FACTS, DATA, OR |

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 184134-00 STATEMENT OF CLAIM | | | | | |
|---------------------------|--|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | | |
| | Status: ACTIVE | | | | | |
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 | | | | | |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 | | | | | |
| Priority Date: | DECEMBER 31, 1934 | | | | | |
| Type of Historical Right | :USE | | | | | |
| *Purpose(use): | MULTIPLE DOMESTIC | | | | | |
| Flow Rate: | 28.00 GPM | | | | | |
| Volume: | 1.50 AC-FT | | | | | |
| Households: | 2 | | | | | |
| Maximum Acres: | 1.00 | | | | | |
| Source Name: | GROUNDWATER | | | | | |
| Source Type: | GROUNDWATER | | | | | |
| | ALSO KNOWN AS MUD SPRINGS WELL #2. | | | | | |
| *Point of Diversion and I | Means of Diversion: | | | | | |
| ID Govt 1 | Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWSENW 20 8S 45E POWDER RIVER | | | | | |
| Diversion Means: | WELL | | | | | |
| *Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | | |
| *Place of Use: | | | | | | |
| IDAcres11.00 | LotQtr SecSecTwpRgeCountyNWSENW208S45EPOWDER RIVER | | | | | |

FEBRUARY 28, 2008 42C 184134-00

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| *Place | of | Use: |
|--------|----|------|
|--------|----|------|

| <u>ID</u> | Acres Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | Rge | <u>County</u> |
|-----------|----------------|----------------|------------|-----|-----|---------------|
| Total: | 1.00 | | | | | |

Remarks:

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

184134-00 184135-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 05/31/2007.

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."

IMPORTANT NOTICE

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| Water Right Number: | 42C 1841 | 35-00 S | TATEM | | F CLA | IM |
|---|-----------------------------------|-------------------------|------------------|------------------|-------|--|
| | Version: 1 ORIGINAL RIGHT | | | | | |
| | | Status: | AC | TIVE | | |
| Owners: | ADDIE M (PO BOX 1 OTTER, M | | J | | | |
| | HORACE PO BOX 1 OTTER, M | | /IN | | | |
| Priority Date: | DECEMBE | ER 31, 193 | 84 | | | |
| Type of Historical Right | t:USE | | | | | |
| Purpose(use): | STOCK | | | | | |
| Flow Rate: | 28.00 GPN | 1 | | | | |
| *Volume: | STOCK W ANIMAL U | ATERING NIT. ANIM | PURP IAL 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: | GROUND | VATER | | | | |
| Source Type: | GRO | UNDWAT | ER | | | |
| | ALSO KNO | OWN AS N | /IUD SF | PRINGS | WEL | L #2. |
| *Point of Diversion and I | Means of Div | ersion: | | | | |
| $\frac{\text{ID}}{1}$ Govt | | <u>Qtr Sec</u> | Sec | Twp | | |
| Diversion Means: | WELL | WSENW | 20 | 8S | 45E | POWDER RIVER |
| Period of Use: | JANUARY | 1 TO DEC | CEMBE | R 31 | | |
| Place of Use: | | | | | | |
| <u>ID</u> <u>Acres</u> <u>Govt I</u> 1 | | <u>Qtr Sec</u> NSENW | <u>Sec</u> 20 | <u>Twp</u> 8S | | <u>County</u> POWDER RIVER |

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184134-00 184135-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 05/31/2007.

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."

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: | 42C 184136-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE |
|---|---|
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 |
| Priority Date: | APRIL 30, 1952 |
| 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 MUD SPRINGS CREEK |
| Source Type: | SURFACE WATER |
| *Point of Diversion and I | Means of Diversion: |
| IDGovt1Period of DiversioDiversion Means: | Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> SENENW 20 8S 45E POWDER RIVER n:JANUARY 1 TO DECEMBER 31 DAM |

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ONSTREAM Reservoir Name: ARENA RESERVOIR *Reservoir: Sec Rge County 45E POWDER RIVER **Govt Lot Otr Sec** Twp SENENW 20 8S 10.00 FEET Depth: **Surface Area:** 1.00 ACRES **Capacity:** 4.00 ACRE-FEET THE MAX. DEPTH. SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY DNRC. **JANUARY 1 TO DECEMBER 31** Period of Use: Place of Use: ID Acres Govt Lot **Qtr Sec** Twp Rge County Sec 1 SENENW 20 8S 45E POWDER RIVER THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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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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: | 42C 184137-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE |
|---|---|
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 |
| Priority Date: | APRIL 30, 1952 |
| 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 MUD SPRINGS CREEK |
| Source Type: | SURFACE WATER |
| *Point of Diversion and I | Means of Diversion: |
| IDGovt1Period of DiversioDiversion Means: | n:JANUARY 1 TO DECEMBER 31 |

FEBRUARY 28, 2008 42C 184137-00 Page 2 of 2

ONSTREAM Reservoir Name: UPPER ARENA RESERVOIR *Reservoir: Rge County 45E POWDER RIVER **Govt Lot Otr Sec** Sec <u>Twp</u> 17 NESESW 8S 10.00 FEET Depth: **Surface Area:** 0.50 ACRES **Capacity:** 2.00 ACRE-FEET THE MAX. DEPTH. SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY DNRC. **JANUARY 1 TO DECEMBER 31** Period of Use: Place of Use: ID Acres Govt Lot **Qtr Sec** Twp Rge County Sec 1 NESESW 17 **8**S 45E POWDER RIVER THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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: | 42C 184138-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | |
|---|---|--|--|--|--|
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 | | | | |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 | | | | |
| Priority Date: | APRIL 30, 1940 | | | | |
| 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 MUD SPRINGS CREEK | | | | |
| Source Type: | SURFACE WATER | | | | |
| *Point of Diversion and Means of Diversion: | | | | | |
| IDGovt1Period of DiversioDiversion Means: | n: JANUARY 1 TO DECEMBER 31 | | | | |

FEBRUARY 28, 2008 42C 184138-00 Page 2 of 2

ONSTREAM Reservoir Name: COTTONWOOD RESERVOIR *Reservoir: Rge County 45E POWDER RIVER **Govt Lot Otr Sec** Sec Twp SESWNW 17 8S 10.00 FEET Depth: 0.30 ACRES **Surface Area: Capacity:** 1.20 ACRE-FEET THE MAX. DEPTH. SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY DNRC. **JANUARY 1 TO DECEMBER 31** Period of Use: Place of Use: ID Acres Govt Lot **Qtr Sec** Twp Rge County Sec 1 SESWNW 17 **8**S 45E POWDER RIVER THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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: | 42C 184139-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | |
|---|---|--|--|--|--|
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 | | | | |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 | | | | |
| Priority Date: | MAY 31, 1948 | | | | |
| 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 LITTLE BEAR 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> NENWSE 7 8S 45E POWDER RIVER | | | | |
| Period of Diversio Diversion Means: | n:JANUARY 1 TO DECEMBER 31 | | | | |

FEBRUARY 28, 2008 42C 184139-00 Page 2 of 2

ONSTREAM Reservoir Name: LITTLE QUINN RESERVOIR *Reservoir: Rge County 45E POWDER RIVER **Govt Lot Otr Sec** Sec Twp NENWSE 8S 7 10.00 FEET Depth: **Surface Area:** 0.75 ACRES **Capacity:** 3.00 ACRE-FEET THE MAX. DEPTH. SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY DNRC. **JANUARY 1 TO DECEMBER 31** Period of Use: Place of Use: ID Acres Govt Lot **Qtr Sec** Twp Rge County Sec 1 **NENWSE** 7 **8**S 45E POWDER RIVER THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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: | 42C 184140-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | |
|---|---|--|--|--|--|
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 | | | | |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 | | | | |
| Priority Date: | MAY 31, 1948 | | | | |
| 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 LITTLE BEAR CREEK | | | | |
| Source Type: | SURFACE WATER | | | | |
| *Point of Diversion and Means of Diversion: | | | | | |
| $\frac{\text{ID}}{1}$ Govt | Lot <u>Qtr Sec Sec Twp Rge County</u> SENENE 7 8S 45E POWDER RIVER | | | | |
| Period of Diversio Diversion Means: | n:JANUARY 1 TO DECEMBER 31 | | | | |

FEBRUARY 28, 2008 42C 184140-00 Page 2 of 2

ONSTREAM Reservoir Name: SHALE HILL RESERVOIR *Reservoir: Rge County 45E POWDER RIVER **Govt Lot Otr Sec** Sec <u>Twp</u> SENENE 8S 7 10.00 FEET Depth: **Surface Area:** 1.00 ACRES **Capacity:** 4.00 ACRE-FEET THE MAX. DEPTH. SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY DNRC. **JANUARY 1 TO DECEMBER 31** Period of Use: Place of Use: ID Acres Govt Lot **Qtr Sec** Twp Rge County Sec 1 SENENE 7 **8**S 45E POWDER RIVER THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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: | 42C 184141-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | |
|---|---|--|--|--|--|
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 | | | | |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 | | | | |
| Priority Date: | MAY 31, 1936 | | | | |
| 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 BEAR CREEK | | | | |
| Source Type: | SURFACE WATER | | | | |
| *Point of Diversion and Means of Diversion: | | | | | |
| IDGovt1Period of DiversioDiversion Means: | Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> NWNESE 8 8S 45E POWDER RIVER n:JANUARY 1 TO DECEMBER 31 DAM | | | | |

FEBRUARY 28, 2008 42C 184141-00 Page 2 of 2

Reservoir Name: QUINN RESERVOIR ONSTREAM *Reservoir: Rge County 45E POWDER RIVER **Govt Lot Otr Sec** Sec Twp NWNESE 8 8S 10.00 FEET Depth: **Surface Area:** 1.00 ACRES **Capacity:** 4.00 ACRE-FEET THE MAX. DEPTH. SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY DNRC. **JANUARY 1 TO DECEMBER 31** Period of Use: Place of Use: ID Acres Govt Lot **Qtr Sec** Twp Rge County Sec 1 NWNESE 8 **8**S 45E POWDER RIVER THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 1841 | 4 2-00 S | TATEN | | F CLA | IM |
|--------------------------|---|-------------------------|------------------|------------------|-------|-------------------------------|
| | Version: | 1 ORI0 | GINAL | RIGHT | | |
| | | Status: | AC | CTIVE | | |
| Owners: | ADDIE M (PO BOX 1 OTTER, M | | N | | | |
| | HORACE PO BOX 1 OTTER, M | | /IN | | | |
| Priority Date: | DECEMBE | R 31, 194 | 10 | | | |
| Type of Historical Right | t:USE | | | | | |
| Purpose(use): | STOCK | | | | | |
| Flow Rate: | 22.00 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: | GROUNDWATER | | | | | |
| Source Type: | GRO | UNDWAT | ER | | | |
| | ALSO KNO | OWN AS N | /ILLER | BUILDI | NGS | WELL |
| Point of Diversion and I | Means of Div | ersion: | | | | |
| <u>ID</u> <u>Govt</u> | | <u>Qtr Sec</u> ENENW | <u>Sec</u> 10 | <u>Twp</u> 8S | | <u>County</u> POWDER RIVER |
| Diversion Means: | WELL | | | | | |
| Period of Use: | JANUARY | 1 TO DEC | CEMBE | R 31 | | |
| Place of Use: | | | | | | |
| IDAcres Govt 11 | | <u>Qtr Sec</u> ENENW | <u>Sec</u> 10 | <u>Twp</u> 8S | | <u>County</u> POWDER RIVER |

Page 2 of 2

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 184143-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | |
|---|---|--|--|--|--|
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 | | | | |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 | | | | |
| Priority Date: | APRIL 30, 1938 | | | | |
| 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 BEAR CREEK | | | | |
| Source Type: | SURFACE WATER | | | | |
| *Point of Diversion and Means of Diversion: | | | | | |
| ID 1GovtPeriod of Diversio Diversion Means: | Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> SWNWNE 14 8S 45E POWDER RIVER n:JANUARY 1 TO DECEMBER 31 DAM | | | | |

FEBRUARY 28, 2008 42C 184143-00 Page 2 of 2

ONSTREAM **Reservoir Name: MILLER RESERVOIR #3** *Reservoir: Rge County 45E POWDER RIVER Sec **Govt Lot Otr Sec** Twp SWNWNE 14 8S 10.00 FEET Depth: **Surface Area:** 0.30 ACRES **Capacity:** 1.20 ACRE-FEET THE MAX. DEPTH. SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY DNRC. **JANUARY 1 TO DECEMBER 31** Period of Use: Place of Use: ID Acres Govt Lot **Qtr Sec** Twp Rge County Sec 1 SWNWNE 14 **8**S 45E POWDER RIVER THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 184144-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | |
|---|---|--|--|--|--|
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 | | | | |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 | | | | |
| Priority Date: | MAY 31, 1938 | | | | |
| 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 BEAR 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 County</u> SESENW 14 8S 45E POWDER RIVER | | | | |
| Period of Diversio Diversion Means: | n:JANUARY 1 TO DECEMBER 31 DAM | | | | |

FEBRUARY 28, 2008 42C 184144-00 Page 2 of 2

ONSTREAM **Reservoir Name: MILLER RESERVOIR #1** *Reservoir: Sec Rge County 45E POWDER RIVER **Govt Lot Otr Sec** Twp SESENW 14 8S 10.00 FEET Depth: **Surface Area:** 0.20 ACRES **Capacity:** 0.80 ACRE-FEET THE MAX. DEPTH. SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY DNRC. **JANUARY 1 TO DECEMBER 31** Period of Use: Place of Use: ID Acres Govt Lot **Qtr Sec** Twp Rge County Sec 1 SESENW 14 8S 45E POWDER RIVER THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 184145-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | |
|---|---|--|--|--|--|
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 | | | | |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 | | | | |
| Priority Date: | JULY 6, 1951 | | | | |
| 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: | BEAR CREEK | | | | |
| Source Type: | SURFACE WATER | | | | |
| *Point of Diversion and Means of Diversion: | | | | | |
| $\frac{\text{ID}}{1}$ Govt | Lot <u>Qtr Sec Sec Twp Rge County</u> SWSWNE 15 8S 45E POWDER RIVER | | | | |
| Period of Diversio Diversion Means: | n:JANUARY 1 TO DECEMBER 31 | | | | |

FEBRUARY 28, 2008 42C 184145-00 Page 2 of 2

| Reservoir: | ONSTREAM | Reservoir Name | BE | AR CRE | EK R | ESERVOIR |
|-------------------|------------------------------|--------------------------------|------------------|------------------|-------------------|---------------------------------|
| | <u>Govt Lot</u> | <u>Qtr Sec</u> SWSWNE | <u>Sec</u> 15 | <u>Twp</u> 8S | <u>Rge</u> 45E | <u>County</u> POWDER RIVER |
| Dept | th: | 15.00 FEET | | | | |
| Surf | ace Area: | 2.50 ACRE | S | | | |
| Capa | acity: | 15.00 ACRE | -FEE | Т | | |
| | •= | E THE RESERVO SERVOIR DATA. | IR WC | ORKSHE | ET IN | I THE CLAIM FILE FOR ADDITIONAL |
| Period of U | se: JAI | NUARY 1 TO DEC | EMBE | R 31 | | |
| Place of Us | e: | | | | | |
| ID | <u>Acres</u> <u>Govt Lot</u> | Qtr Sec | <u>Sec</u> | Twp | <u>Rge</u> | County |
| 1 | | SWSWNE | 15 | 8S | 45E | POWDER RIVER |

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.

184145-00 188009-00

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

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

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| Water Right Number: | 42C 1841 | 46-00 S | TATEN | IENT O | F CLA | IM |
|----------------------------|---|--------------------------|------------------|------------------|-------|-------------------------------|
| | Version: | 1 ORI0 | GINAL | RIGHT | | |
| | | Status: | AC | CTIVE | | |
| Owners: | ADDIE M (PO BOX 1 OTTER, M | | N | | | |
| | HORACE PO BOX 1 OTTER, M | | /IN | | | |
| Priority Date: | DECEMBE | ER 31, 196 | 60 | | | |
| Type of Historical Righ | t:USE | | | | | |
| 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: | GROUNDWATER | | | | | |
| Source Type: | GRO | UNDWAT | ER | | | |
| | ALSO KNO | OWN AS S | SCHOC | DL SECT | ION V | VELL |
| Point of Diversion and | Means of Div | ersion: | | | | |
| $\frac{\text{ID}}{1}$ Govt | | <u>Qtr Sec</u> SESWSE | <u>Sec</u> 16 | <u>Twp</u> 8S | | <u>County</u> POWDER RIVER |
| Diversion Means: | WELL | | | | | |
| Period of Use: | JANUARY | 1 TO DEC | CEMBE | R 31 | | |
| Place of Use: | | | | | | |
| ID <u>Acres Govt</u> | | <u>Qtr Sec</u> | Sec | <u>Twp</u> | | County |
| 1 | S | SESWSE | 16 | 8S | 45E | POWDER RIVER |

Page 2 of 2

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| Water Right Number: | 42C 184147-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | |
|---|---|--|--|--|--|
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 | | | | |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 | | | | |
| Priority Date: | APRIL 30, 1958 | | | | |
| 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 BEAR CREEK | | | | |
| Source Type: | SURFACE WATER | | | | |
| *Point of Diversion and Means of Diversion: | | | | | |
| IDGovt1Period of DiversioDiversion Means: | Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> NWNWNW 15 8S 45E POWDER RIVER n:JANUARY 1 TO DECEMBER 31 DAM | | | | |

FEBRUARY 28, 2008 42C 184147-00 Page 2 of 2

ONSTREAM Reservoir Name: OLD SNEATH RESERVOIR *Reservoir: Rge County 45E POWDER RIVER **Govt Lot Otr Sec** Sec Twp NWNWNW 15 8S 15.00 FEET Depth: 0.50 ACRES **Surface Area: Capacity:** 3.00 ACRE-FEET THE MAX. DEPTH. SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY DNRC. **JANUARY 1 TO DECEMBER 31** Period of Use: Place of Use: ID Acres Govt Lot **Qtr Sec** Twp Rge County Sec 1 NWNWNW 15 **8**S 45E POWDER RIVER THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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: | 42C 184148-00 STATEMENT OF CLAIM |
|------------------------------------|---|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | CIRCLE BAR CATTLE CO LLC HC 71 BOX 1206 ASHLAND, MT 59003 9704 |
| *Priority Date: | DECEMBER 31, 1940 |
| 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: | ELK CREEK, NORTH FORK |
| Source Type: | SURFACE WATER |
| *D • (CD • • • • • • • • • | |

*Point of Diversion and Means of Diversion:

| ID | <u>Govt L</u> | ot Qtr Sec | Sec | Twp | Rge | County |
|----------|---------------|-----------------|------|-------|-----|---------------|
| 1 | | NWNWSW | 6 | 6S | 48E | POWDER RIVER |
| Period | of Diversion | JANUARY 1 TO DE | CEMB | ER 31 | | |
| Diversio | on Means: | DAM | | | | |

FEBRUARY 28, 2008 42C 184148-00 Page 2 of 2

ONSTREAM Reservoir Name: BARNES' RESERVOIR *Reservoir: **Govt Lot Otr Sec** Sec Twp <u>Rge</u> <u>County</u> 48E POWDER RIVER NWNWSW 6 6S 13.00 FEET **Dam Height:** 10.00 FEET Depth: **Surface Area:** 1.00 ACRES **Capacity:** 4.00 ACRE-FEET **JANUARY 1 TO DECEMBER 31** Period of Use: Place of Use: ID Acres Govt Lot Qtr Sec Twp Rge County Sec 1 NWNWSW 6 6S 48E POWDER RIVER

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: | 42C 184149-00 STATEMENT OF CLAIM |
|---------------------------|---|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | CIRCLE BAR CATTLE CO LLC HC 71 BOX 1206 ASHLAND, MT 59003 9704 |
| *Priority Date: | DECEMBER 31, 1920 |
| 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: | ELK CREEK, SOUTH FORK |
| Source Type: | SURFACE WATER |
| *Point of Diversion and I | Means of Diversion: |

 ID
 Govt Lot
 Qtr Sec
 Sec
 Twp
 Rge
 County

 1
 SENWSW
 8
 6S
 48E
 POWDER RIVER

 Period of Diversion: JANUARY 1 TO DECEMBER 31
 Diversion Means:
 DAM

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| *Reservoir: | ONSTREAM | Reservoir Nan | ne: DU | | RESERVOIR |
|--------------------|----------------|--------------------------|-----------------|------------------|-----------------------------------|
| | Govt Lot | <u>Qtr Sec</u> SENWSW | <u>Sec</u> 8 | <u>Twp</u> 6S | Rge County 48E POWDER RIVER |
| Dam | Height: | 13.00 FEE | Г | | |
| Depth | 1: | 10.00 FEE | Г | | |
| Surfa | ce Area: | 1.96 ACR | ES | | |
| Capa | city: | 7.84 ACR | E-FEE | Т | |
| | | IE SURFACE ARE IRC. | EA, DE | PTH AN | D CAPACITY HAVE BEEN ESTIMATED BY |
| Period of Us | e: JA | NUARY 1 TO DE | CEMBE | R 31 | |
| Place of Use | : | | | | |
| <u>ID</u> <u>A</u> | Acres Govt Lot | <u>Qtr Sec</u> | Sec | Twp | <u>Rge</u> <u>County</u> |
| 1 | | NESWSW | 18 | 6S | 48E POWDER RIVER |
| 2 | | SENWSW | 18 | 6S | 48E POWDER RIVER |
| | | TION OF THIS | | | ND NO SIGNIFICANT FACTS, DATA, OR |

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 184150-00 STATEMENT OF CLAIM |
|---------------------------|---|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | CIRCLE BAR CATTLE CO LLC HC 71 BOX 1206 ASHLAND, MT 59003 9704 |
| *Priority Date: | DECEMBER 31, 1910 |
| 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 ELK CREEK, SOUTH FORK |
| Source Type: | SURFACE WATER |
| *Doint of Diversion and I | Moong of Diversion. |

*Point of Diversion and Means of Diversion:

| ID | <u>Govt I</u> | <u>ot</u> <u>Qtr Sec</u> | <u>Sec</u> | Twp | Rge | County |
|----|---------------------|--------------------------|------------|-------|-----|---------------|
| 1 | | SESWNE | 7 | 6S | 48E | POWDER RIVER |
| F | Period of Diversion | JANUARY 1 TO DE | CEMB | ER 31 | | |
| Ι | Diversion Means: | DAM | | | | |

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| *Reservoir: | ONSTREAM | Reservoir Name: H | EADQUA | ARTERS RESERVOIR |
|---|----------------|---------------------------------------|------------------|------------------------------------|
| | Govt Lot | <u>Qtr Sec</u> <u>Sec</u> SESWNE 7 | <u>Twp</u> 6S | Rge 48ECounty POWDER RIVER |
| Dam | Height: | 13.00 FEET | | |
| Deptl | h: | 10.00 FEET | | |
| Surfa | ce Area: | 1.80 ACRES | | |
| Capa | city: | 7.20 ACRE-FEE | T | |
| | THE DNF | | EPTH AN | ID CAPACITY HAVE BEEN ESTIMATED BY |
| Period of Us | se: JAN | IUARY 1 TO DECEMB | ER 31 | |
| Place of Use | : | | | |
| $\underline{\mathbf{ID}}$ \underline{A} | Acres Govt Lot | <u>Qtr Sec</u> <u>Sec</u> | Twp | <u>Rge</u> <u>County</u> |
| 1 | | SESWNE 7 | 6S | 48E POWDER RIVER |
| | | TION OF THIS CLA D THE WATER COU | | IND NO SIGNIFICANT FACTS, DATA, OR |

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 184151-00 STATEMENT OF CLAIM |
|---------------------------|---|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | CIRCLE BAR CATTLE CO LLC HC 71 BOX 1206 ASHLAND, MT 59003 9704 |
| *Priority Date: | DECEMBER 31, 1920 |
| 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: | JNNAMED TRIBUTARY OF ELK CREEK, SOUTH FORK |
| Source Type: | SURFACE WATER |
| *Point of Diversion and I | eans of Diversion: |

*Point of Diversion and Means of Diversion:

| ID | Govt Lo | ot <u>Qtr Sec</u> | <u>Sec</u> | Twp | Rge | County |
|------|------------------|-------------------|------------|-------|-----|---------------|
| 1 | | SENWNW | 18 | 6S | 48E | POWDER RIVER |
| Peri | od of Diversion: | JANUARY 1 TO DE | CEMB | ER 31 | | |
| Dive | ersion Means: | DAM | | | | |

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ONSTREAM Reservoir Name: OLD CELLAR RESERVOIR *Reservoir: Rge County 48E POWDER RIVER **Govt Lot Otr Sec** Sec Twp SENWNW 18 6S 13.00 FEET **Dam Height:** 10.00 FEET Depth: **Surface Area:** 3.00 ACRES **Capacity:** 12.00 ACRE-FEET THE SURFACE AREA. DEPTH AND CAPACITY HAVE BEEN ESTIMATED BY DNRC. **JANUARY 1 TO DECEMBER 31 Period of Use:** Place of Use: ID Rge County Acres Govt Lot Qtr Sec Sec Twp 1 SENWNW 18 **48E POWDER RIVER** 6S <u>u</u>....... THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 184152-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | |
|---|---|--|--|
| Owners: | ALAN LLOYD 2 LLOYD RD OTTER, MT 59062 | | |
| | JANICE LLOYD 2 LLOYD RD OTTER, MT 59062 | | |
| *Priority Date: | DECEMBER 31, 1942 | | |
| 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: | MAC ALISTER DRAW | | |
| Source Type: | SURFACE WATER | | |
| *Point of Diversion and | *Point of Diversion and Means of Diversion: | | |
| IDGovt1Period of DiversioDiversion Means: | Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SESESW 32 8S 45E POWDER RIVER n:JANUARY 1 TO DECEMBER 31 DAM | | |

FEBRUARY 28, 2008 42C 184152-00 Page 2 of 2

ONSTREAM Reservoir Name: 320 RESERVOIR *Reservoir: Rge County 45E POWDER RIVER **Govt Lot Otr Sec** Sec Twp SESESW 32 8S 6.00 FEET Depth: **Surface Area:** 1.00 ACRES **Capacity:** 2.40 ACRE-FEET THE SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY DNRC. **JANUARY 1 TO DECEMBER 31** Period of Use: Place of Use: ID Acres Govt Lot Qtr Sec Twp Rge County Sec 1 32 8S SESESW 45E POWDER RIVER THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 185066-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE |
|---|---|
| Owners: | DONNA M HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 |
| | LES J HIRSCH HC 32 BOX 4311 MILES CITY, MT 59301 |
| Priority Date: | APRIL 15, 1902 |
| 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: | UNNAMED TRIBUTARY OF FOREST CREEK |
| Source Type: | SURFACE WATER |
| *Point of Diversion and I | Means of Diversion: |
| IDGovt1Period of DiversioDiversion Means: | Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> NWNWNE 19 4N 46E CUSTER n:JANUARY 1 TO DECEMBER 31 DAM |

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ONSTREAM *Reservoir: $\frac{Rge}{46E} \quad \frac{County}{CUSTER}$ Govt Lot **Otr Sec** Sec Twp NENW 19 4N 14.00 FEET **Dam Height:** 11.00 FEET Depth: **Surface Area:** 1.00 ACRES Capacity: 4.40 ACRE-FEET THE SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY DNRC. Period of Use: **JANUARY 1 TO DECEMBER 31** Place of Use: ID Acres Govt Lot Qtr Sec Twp Rge County <u>Sec</u> 1 4N 46E CUSTER NENW 19

Remarks:

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 181565-00.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF 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: | 42C 185971-00 STATEMENT OF CLAIM |
|--|---|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | ELIZABETH L HEINRICH 401 W PINE EL DORADO, KS 67042 |
| | GORDON E HARRISON II 507 S WASHINGTON EL DORADO, KS 67042 |
| Priority Date: | DECEMBER 31, 1941 |
| *Type of Historical Right | 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 MARVELL CREEK |
| Source Type: | SURFACE WATER |
| *Point of Diversion and I | Means of Diversion: |
| IDGovt1Period of DiversionDiversion Means: | Lot <u>Qtr Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWSE 28 2S 47E POWDER RIVER n:JANUARY 1 TO DECEMBER 31 DAM |

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ONSTREAM *Reservoir: **Govt Lot Otr Sec** Sec Twp <u>Rge</u> <u>County</u> 47E POWDER RIVER SWSE 28 2S 13.00 FEET **Dam Height:** 10.00 FEET Depth: **Surface Area:** 0.50 ACRES Capacity: 2.00 ACRE-FEET THE CAPACITY HAS BEEN ESTIMATED BY DNRC. Period of Use: **JANUARY 1 TO DECEMBER 31 Place of Use:** ID Acres Govt Lot Qtr Sec Rge County <u>Sec</u> Twp SWSE 28 2S1 47E POWDER RIVER THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **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: | 42C 185972-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | | | |
|---|---|--|--|--|--|--|--|
| Owners: | SUZANNE S TRUSLER PO BOX 155 ASHLAND, MT 59004 | | | | | | |
| | TOM W TRUSLER PO BOX 155 ASHLAND, MT 59004 | | | | | | |
| Priority Date: | DECEMBER 31, 1941 | | | | | | |
| 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 MARVELL CREEK | | | | | | |
| Source Type: | SURFACE WATER | | | | | | |
| *Point of Diversion and Means of Diversion: | | | | | | | |
| IDGovt1Period of DiversioDiversion Means: | Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> SENWSE 28 2S 47E POWDER RIVER n:JANUARY 1 TO DECEMBER 31 DAM | | | | | | |

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ONSTREAM *Reservoir: **Govt Lot Otr Sec** Sec Twp <u>Rge</u> <u>County</u> 47E POWDER RIVER SENWSE 28 2S 10.00 FEET Depth: **Surface Area:** 0.25 ACRES **Capacity:** 1.00 ACRE-FEET THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC. MAY 1 TO DECEMBER 31 Period of Use: Place of Use: ID Acres Govt Lot **Qtr Sec** Twp Rge County Sec 1 SENWSE 28 2S 47E POWDER RIVER THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **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: | 42C 185973-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | | | |
|---|---|--|--|--|--|--|--|
| Owners: | SUZANNE S TRUSLER PO BOX 155 ASHLAND, MT 59004 | | | | | | |
| | TOM W TRUSLER PO BOX 155 ASHLAND, MT 59004 | | | | | | |
| *Priority Date: | DECEMBER 31, 1941 | | | | | | |
| 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 LITTLE PUMPKIN CREEK, WEST FORK | | | | | | |
| Source Type: | SURFACE WATER | | | | | | |
| Point of Diversion and | Point of Diversion and Means of Diversion: | | | | | | |
| IDGovt1Period of DiversioDiversion Means: | Lot <u>Qtr Sec Sec Twp Rge County</u> W2SWNE 29 2S 47E POWDER RIVER n:JANUARY 1 TO DECEMBER 31 DAM | | | | | | |

FEBRUARY 28, 2008 42C 185973-00 Page 2 of 2

ONSTREAM *Reservoir: **Govt Lot Otr Sec** Sec Twp <u>Rge</u> <u>County</u> 47E POWDER RIVER W2SWNE 29 2S 10.00 FEET Depth: **Surface Area:** 0.50 ACRES **Capacity:** 2.00 ACRE-FEET THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC. MAY 1 TO DECEMBER 31 Period of Use: Place of Use: ID Acres Govt Lot **Qtr Sec** Twp Rge County Sec 1 W2SWNE 29 2S 47E POWDER RIVER THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 185974-00 STATEMENT OF CLAIM | | | | | | |
|--|---|--|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | | | |
| | Status: ACTIVE | | | | | | |
| Owners: | ELIZABETH L HEINRICH 401 W PINE EL DORADO, KS 67042 | | | | | | |
| | GORDON E HARRISON II 507 S WASHINGTON EL DORADO, KS 67042 | | | | | | |
| *Priority Date: | DECEMBER 31, 1941 | | | | | | |
| Type of Historical Right | :USE | | | | | | |
| *Purpose(use): | MULTIPLE DOMESTIC | | | | | | |
| Flow Rate: | 15.00 GPM | | | | | | |
| Volume: | 24.00 AC-FT | | | | | | |
| Households: | 2 | | | | | | |
| Maximum Acres: | 3.50 | | | | | | |
| Source Name: | GROUNDWATER | | | | | | |
| Source Type: | GROUNDWATER | | | | | | |
| Point of Diversion and I | Jeans of Diversion: | | | | | | |
| $\frac{\mathbf{ID}}{1}$ Govt | | | | | | | |
| · | SWSWSE 28 2S 47E POWDER RIVER | | | | | | |
| Diversion Means: WELL Period of Use: JANUARY 1 TO DECEMBER 31 | | | | | | | |
| Terrou or Use. | | | | | | | |
| Place of Use: | | | | | | | |
| <u>ID</u> <u>Acres Govt I</u> | | | | | | | |
| 1 3.50 | SWSWSE 28 2S 47E POWDER RIVER | | | | | | |
| Total: 3.50 | | | | | | | |

Remarks:

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

THE CLAIMED VOLUME EXCEEDS THE 11.75 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: | 42C 185976-00 STATEMENT OF CLAIM |
|---|---|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | A FRANK HAGEN HORSE CREEK RANCH 221 OTTER CREEK ROAD ASHLAND, MT 59003 |
| Priority Date: | OCTOBER 23, 1981 |
| | THIS IS AN EXISTING RIGHT. ITS POST-1973 PRIORITY DATE IS DECREED PURSUANT TO SECTION 85-2-306(4) MCA. |
| Type of Historical Right | I: USE |
| Purpose(use): | STOCK |
| Flow Rate: | 5.00 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 P <u>ID</u> <u>Govt 1</u> 1 Diversion Means: Period of Use: Place of Use: | |
| Place of Use: <u>ID</u> <u>Acres</u> <u>Govt I</u> 1 | Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> NWNENE 7 7S 46E POWDER RIVER |

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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.

THIS CLAIM AND WATER RIGHT NO. 42C-48799 APPEAR TO BE REDUNDANT FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED.

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.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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 CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 1859 | 77-00 S | TATEN | IENT O | F CLA | IM |
|-------------------------|----------------------------|---|----------------|---------|----------|-------|------------------|
| | | Version: | 1 ORI(| GINAL I | RIGHT | | |
| | | | Status: | AC | TIVE | | |
| Owners: | | WILLIAM R SWAN 2573 TONGUE RIVER ROAD MILES CITY, MT 59301 | | | | | |
| Priority I | Date: | OCTOBER | 8 1, 1962 | | | | |
| Type of H | listorical Right | :USE | | | | | |
| Purpose(| use): | IRRIGATIO | ON | | | | |
| Ir | rigation Type: | WATER S | PREADIN | G | | | |
| *Flow Rate | e: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. | | | | | |
| Volume: | | 72.00 AC-I | -т | | | | |
| Climatic Area: 1 - HIGH | | | | | | | |
| Maximun | n Acres: | 81.50 | | | | | |
| *Source N | ame: | UNNAMED | TRIBUT | ARY OI | FASH | CREE | К |
| Sourc | е Туре: | SURI | FACE WA | TER | | | |
| *Point of I | Diversion and N | Jeans of Div | ersion: | | | | |
| ID | <u>Govt I</u> | | <u>Qtr Sec</u> | Sec | Twp | | County |
| 1 | | | ESENW | 7 | 4N | 48E | CUSTER |
| | ersion Means: | | | | | | |
| *Period of | Use: | JANUARY | 1 TO DEC | CEMBE | R 31 | | |
| *Place of U | Jse: | | | | | | |
| <u>ID</u> | <u>Acres</u> <u>Govt I</u> | <u>lot</u> | <u>Qtr Sec</u> | Sec | Twp | Rge | County |
| 1 | 11.40 | | SESE | 1 | 4N | | CUSTER |
| 2 | 28.00 | | NE | 12 | 4N | | CUSTER |
| 3 4 | 14.60 27.50 | | SWSW NW | 6 7 | 4N 4N | | CUSTER CUSTER |

FEBRUARY 28, 2008 42C 185977-00

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*Place of Use:

| ID | Acres Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | Rge | <u>County</u> |
|--------|----------------|----------------|------------|-----|-----|---------------|
| Total: | 81.50 | | | | | |

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.

185977-00 185978-00 185979-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/16/2005: IRRIGATION METHOD, PLACE OF USE.

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON 02/25/2005.

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

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

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

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 185978-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | | | | |
|------------------------------|---|--|--|--|--|--|--|--|
| Owners: | WILLIAM R SWAN 2573 TONGUE RIVER ROAD MILES CITY, MT 59301 | | | | | | | |
| Priority Date: | FEBRUARY 23, 1887 | | | | | | | |
| Type of Historical Right | t: FILED | | | | | | | |
| Purpose(use): | IRRIGATION | | | | | | | |
| - | WATER SPREADING | | | | | | | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. | | | | | | | |
| Volume: | 215.51 AC-FT | | | | | | | |
| Climatic Area: | : 1 - HIGH | | | | | | | |
| Maximum Acres: | 93.70 | | | | | | | |
| Source Name: | ASH CREEK | | | | | | | |
| Source Type: | SURFACE WATER | | | | | | | |
| | THE SOURCE INCLUDES UNNAMED TRIBUTARIES OF ASH CREEK. | | | | | | | |
| *Point of Diversion and N | 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> NENENE 12 4N 47E CUSTER | | | | | | | |
| Diversion Means: | HEADGATE | | | | | | | |
| 2 | SENWNW 7 4N 48E CUSTER | | | | | | | |
| Diversion Means: | | | | | | | | |
| 3 | NESENW 7 4N 48E CUSTER | | | | | | | |
| | | | | | | | | |
| *Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | | | | |

FEBRUARY 28, 2008

42C 185978-00 Page 2 of 2

*Place of Use:

| <u>ID</u> | Acres Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | <u>Rge</u> <u>County</u> |
|-----------|----------------|----------------|------------|-----|--------------------------|
| 1 | 33.20 | N2NW | 7 | 4N | 48E CUSTER |
| 2 | 28.30 | N2NE | 12 | 4N | 47E CUSTER |
| 3 | 25.00 | SW | 6 | 4N | 48E CUSTER |
| 4 | 7.20 | S2SESE | 1 | 4N | 47E CUSTER |
| Total: | 93.70 | | | | |

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.

185977-00 185978-00 185979-00

THE VOLUME WAS AMENDED BY THE CLAIMANT ON 02/21/2007.

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."

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 Nu | mber: | 42C 1859 | 79-00 S | STATEN | /ENT O | F CLA | IM |
|------------------|------------------|--|-------------------------|-----------------|----------|-------|-------------------------|
| | | Version: | 1 ORI | | | | |
| | | | Status: | AC | CTIVE | | |
| Owners: | | WILLIAM F 2573 TON MILES CIT | GUE RIVE | | ٩D | | |
| *Priority Date: | | DECEMBE | R 31, 196 | 60 | | | |
| Type of Histori | cal Right | :USE | | | | | |
| Purpose(use): | | IRRIGATIO | ON | | | | |
| Irrigatio | on Type: | FLOOD | | | | | |
| Flow Rate: | | 4.46 CFS | | | | | |
| *Volume: | | THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. PRIMARILY A DIRECT FLOW SYSTEM; VOLUME NOT DECREED. | | | | | |
| Clima | atic Area | : 1 - HIGH | | | | , | |
| Maximum Acre | es: | 80.00 | | | | | |
| Source Name: | | TONGUE F | RIVER | | | | |
| Source Type | e: | SUR | FACE WA | TER | | | |
| Point of Divers | ion and I | Means of Div | ersion: | | | | |
| <u>ID</u> 1 | Govt] | | <u>Qtr Sec</u> VSWSW | <u>Sec</u> 6 | Twp | | <u>County</u> CUSTER |
| Diversion | Means | PUMP | 0300300 | 0 | 4N | 40⊏ | COSTER |
| Period of Use: | ivicuits. | MAY 1 TO | ОСТОВЕ | R 1 | | | |
| Place of Use: | | | | | | | |
| ID Acr | es <u>Govt I</u> | Lot | <u>Qtr Sec</u> | Sec | Twp | Rge | <u>County</u> |
| 1 32.0 | 00 | | N2NE | 12 | 4N | | CUSTER |
| 2 10.0 3 26.0 | | 8 | SESE SW | 1 6 | 4N 4N | | CUSTER CUSTER |
| | | | | - | - | | |

FEBRUARY 28, 2008 42C 185979-00

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Place of Use:

| ID | Acres Govt Lot | <u>Qtr Sec</u> | Sec | Twp | <u>Rge</u> <u>County</u> |
|--------|----------------|----------------|-----|-----|--------------------------|
| 4 | 12.00 | N2N2NW | 7 | 4N | 48E CUSTER |
| 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.

185977-00 185978-00 185979-00

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 07/16/2007.

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

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON TONGUE RIVER WITH A PRIORITY DATE POSTDATING CASE NO. 2809 CUSTER 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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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: | 42C 186283-00 STATEMENT OF CLAIM |
|---------------------------|---|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 |
| | ALAN LLOYD 2 LLOYD RD OTTER, MT 59062 |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 |
| | JANICE LLOYD 2 LLOYD RD OTTER, MT 59062 |
| Priority Date: | MAY 6, 1909 |
| *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. |
| *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: | MUD SPRINGS CREEK |
| Source Type: | SURFACE WATER |

FEBRUARY 28, 2008 42C 186283-00

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*Point of Diversion and Means of Diversion:

| *Point of Diver | From of Diversion and Weans of Diversion: | | | | | | |
|-----------------|---|---------|----------------|-------|------------|-----|---------------|
| <u>ID</u> | <u>Govt l</u> | Lot | <u>Qtr Sec</u> | Sec | <u>Twp</u> | | County |
| 1 | | | NESE | 25 | 8S | | BIG HORN |
| Diversion | n Means: | LIVESTC | CK DIREC | T FRO | M SOUF | RCE | |
| 2 | | | NWNE | 30 | 8S | 45E | POWDER RIVER |
| Diversion | n Means: | LIVESTC | CK DIREC | T FRO | M SOUF | RCE | |
| 3 | | | SESE | 19 | 8S | 45E | POWDER RIVER |
| Diversion | n Means: | LIVESTC | CK DIREC | T FRO | M SOUF | RCE | |
| 4 | | | NENE | 20 | 8S | 45E | POWDER RIVER |
| Diversion | n Means: | LIVESTC | CK DIREC | T FRO | M SOUF | RCE | |
| 5 | | | SESE | 16 | 8S | 45E | POWDER RIVER |
| Diversion | n Means: | LIVESTC | CK DIREC | T FRO | M SOUF | RCE | |
| 6 | | | NWNW | 21 | 8S | 45E | POWDER RIVER |
| Diversion | Diversion Means: LIVESTOCK DIRECT FROM SOURCE | | | | | | |
| 7 | | | SWSW | 15 | 8S | 45E | POWDER RIVER |
| Diversion | n Means: | LIVESTC | CK DIREC | T FRO | M SOUF | RCE | |
| Period of Use: | | JANUAR | Y 1 TO DEC | CEMBE | R 31 | | |
| Place of Use: | | | | | | | |
| | res Govt I | ot | Qtr Sec | Sec | Twp | Dao | <u>County</u> |
| | <u>105 0011</u> | 201 | | | | | |
| 1 | | | NESE | 25 | 8S | | BIG HORN |
| 2 | | | NWNE | 30 | 8S | - | POWDER RIVER |
| 3 | | | SESE | 19 | 8S | - | POWDER RIVER |
| 4 | | | NENE | 20 | 8S | | POWDER RIVER |
| 5 | | | SESE | 16 | 8S | | POWDER RIVER |
| 6 | | | NWNW | 21 | 8S | 45E | POWDER RIVER |
| 7 | | | SWSW | 15 | 8S | 45E | POWDER RIVER |

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." FEBRUARY 28, 2008 42C 186283-00 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: | 42C 186285-00 STATEMENT OF CLAIM |
|-------------------------|---|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | JAMES W GUERCIO 1300 WALNUT ST, STE 200 BOULDER, CO 80302 5269 |
| Priority Date: | DECEMBER 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. |
| *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 MAC ALISTER DRAW |
| Source Type: | SURFACE WATER |
| *Source Name: | MAC ALISTER DRAW |
| Source Type: | SURFACE WATER |
| | ALSO KNOWN AS RIGBY CREEK. |

*Point of Diversion and Means of Diversion:

| ID | Govt Lot | | <u>Qtr Sec</u> <u>Sec</u> | | Twp | Rge | <u>County</u> | | |
|--------|-------------------------|------------------------------------|---------------------------------------|--------|--------|-------|---------------|--|--|
| 1 | | ١ | WNENE | 7 | 9S | 45E | POWDER RIVER | | |
| *Sourc | e Name: | UNNAME | D TRIBUT | ARY O | F MAC | ALIST | ER DRAW | | |
| Diver | Diversion Means: LIVEST | | CK DIREC | T FROI | M SOUF | RCE | | | |
| 2 | | | SESENE | 6 | 9S | 45E | POWDER RIVER | | |
| *Sourc | e Name: | UNNAME | UNNAMED TRIBUTARY OF MAC ALISTER DRAW | | | | | | |
| Diver | sion Means: | eans: LIVESTOCK DIRECT FROM SOURCE | | | | | | | |

FEBRUARY 28, 2008 42C 186285-00

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*Point of Diversion and Means of Diversion:

| <u>ID</u> <u>Govt</u> | Lot Qtr | Sec Sec | Twp | Rge | County |
|-------------------------|------------------------|-----------|--------|-----|---------------|
| 3 | NWNW | /SE 32 | 8S | 45E | POWDER RIVER |
| *Source Name: | MAC ALISTER | DRAW | | | |
| Diversion Means: | LIVESTOCK D | IRECT FRO | OM SOU | RCE | |
| Period of Use: | of Use: JANUARY 1 TO D | | | | |

Place of Use:

| ID | Acres Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | <u>Rge</u> <u>County</u> |
|----|----------------|----------------|------------|-----|--------------------------|
| 1 | | NWNENE | 7 | 9S | 45E POWDER RIVER |
| 2 | | SESENE | 6 | 9S | 45E POWDER RIVER |
| 3 | | NWNWSE | 32 | 8S | 45E POWDER RIVER |
| | | | | | |

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 186286-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | | |
|--|---|--|--|--|--|--|
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 | | | | | |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 | | | | | |
| Priority Date: | DECEMBER 31, 1923 | | | | | |
| 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. | | | | | |
| *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 LITTLE BEAR CREEK | | | | | |
| Source Type: | SURFACE WATER | | | | | |
| | ALSO KNOWN AS QUINN SPRING. | | | | | |
| Point of Diversion and Means of Diversion: | | | | | | |
| $\frac{ID}{1}$ Govt | | | | | | |
| • | SENENE 7 8S 45E POWDER RIVER LIVESTOCK DIRECT FROM SOURCE | | | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | | |
| I CHOU OF USC. | | | | | | |

FEBRUARY 28, 2008 42C 186286-00

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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 | | SENENE | 7 | 8S | 45E POWDER RIVER |
| | | | | | |

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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: | 42C 186595-00 STATEMENT OF CLAIM | | |
|--------------------------------|---|--|--|
| | Version: 1 ORIGINAL RIGHT | | |
| | Status: ACTIVE | | |
| *Owners: | MARGARET J FLETCHER HC 71 BOX 1177 ASHLAND, MT 59003 | | |
| | MERLE T FLETCHER HC 71 BOX 1177 ASHLAND, MT 59003 | | |
| *Priority Date: | DECEMBER 31, 1950 | | |
| Type of Historical Right | :USE | | |
| Purpose(use): | IRRIGATION | | |
| Irrigation Type: | WATER SPREADING | | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. | | |
| Volume: | 60.00 AC-FT | | |
| Climatic Area | 2 - MODERATELY HIGH | | |
| Maximum Acres: | 36.00 | | |
| *Source Name: | UNNAMED TRIBUTARY OF OTTER CREEK | | |
| Source Type: | SURFACE WATER | | |
| *Point of Diversion and N | Means of Diversion: | | |
| $\frac{\mathbf{ID}}{1}$ Govt 1 | Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> SWNWSE 31 7S 46E POWDER RIVER | | |
| Diversion Means: | DIKE | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | |

FEBRUARY 28, 2008 42C 186595-00

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Place of Use:

| <u>ID</u> | Acres Govt Lot | <u>Qtr Sec</u> | Sec | Twp | <u>Rge</u> <u>County</u> |
|-----------|----------------|----------------|-----|-----|---------------------------------|
| 1 | 11.00 | S2SWNE | 31 | 7S | 46E POWDER RIVER |
| 2 | 4.78 | E2SENW | 31 | 7S | 46E POWDER RIVER |
| 3 | 3.22 | NENESW | 31 | 7S | 46E POWDER RIVER |
| 4 | 17.00 | NWSE | 31 | 7S | 46E POWDER RIVER |
| Total: | 36.00 | | | | |

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/29/2006: CLAIM MAP, PLACE OF USE, TOTAL ACRES.

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

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

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| Water Right Number: | 42C 186656-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE |
|------------------------------------|--|
| Owners: | RIVER RANCH OF MONTANA LLC 5525 N. SUNDOWN DRIVE TUCSON, AZ 85718 |
| *Priority Date: | SEPTEMBER 4, 1953 |
| Type of Historical Righ | t: FILED |
| Purpose(use): Flow Rate: | DOMESTIC 4.00 GPM |
| Volume: | 1.00 AC-FT |
| Households: | 1 |
| Source Name: | GROUNDWATER |
| Source Type: | GROUNDWATER |
| Point of Diversion and | |
| <u>ID</u> <u>Govt</u> | <u>Lot</u> <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWSENE 27 2S 44E ROSEBUD |
| Diversion Means: Period of Use: | |
| Place of Use: | |
| ID <u>Acres</u> Govt | |
| 1 | SWSENE 27 2S 44E ROSEBUD |
| = | IINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR RT TO THE WATER COURT. |

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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: | 42C 186657-00 STATEMENT OF CLAIM | | |
|------------------------|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | |
| | Status: ACTIVE | | |
| Owners: | RIVER RANCH OF MONTANA LLC 5525 N. SUNDOWN DRIVE TUCSON, AZ 85718 | | |
| *Priority Date: | MAY 15, 1953 | | |
| Type of Historical Rig | it: USE | | |
| Purpose(use): | IRRIGATION | | |
| Irrigation Typ | : SPRINKLER | | |
| Flow Rate: | 1.67 CFS | | |
| *Volume: | THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. | | |
| Climatic Ar | a: 2 - MODERATELY HIGH | | |
| Maximum Acres: | 50.00 | | |
| Source Name: | TONGUE RIVER | | |
| Source Type: | SURFACE WATER | | |
| Point of Diversion and | Means of Diversion: | | |
| | Lot <u>Qtr Sec Sec Twp Rge County</u> | | |
| 1 | NESWNE 27 2S 44E ROSEBUD | | |
| Diversion Means | - | | |
| Period of Use: | MAY 15 TO SEPTEMBER 15 | | |
| Place of Use: | | | |
| ID <u>Acres</u> Gov | Lot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> | | |
| 1 20.00 | NE 27 2S 44E ROSEBUD | | |
| 2 12.00 | NWSE 27 2S 44E ROSEBUD | | |
| 3 12.00 4 6.00 | NESW 27 2S 44E ROSEBUD S2S2NW 27 2S 44E ROSEBUD | | |

FEBRUARY 28, 2008 42C 186657-00

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Place of Use:

| ID | <u>Acres</u> <u>Govt Lot</u> |
|--------------|------------------------------|
| T 4 1 | 50.00 |

Total: 50.00

Remarks:

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

Twp Rge County

Otr Sec

Sec

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

USDA AERIAL PHOTOGRAPH NO(S). 578-60 , DATED 06/29/1980 , APPEARS TO INDICATE 23 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 THE TONGUE RIVER WITH A PRIORITY DATE POSTDATING CASE NO. 2809 CUSTER COUNTY.

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

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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: | 42C 18683 | 8 1-00 S | TATEN | IENT OI | = CLA | IM |
|--------------------------|--|--|-------|---------|-------|---------|
| | Version: | 1 ORI(| | | | |
| | | Status: | AC | TIVE | | |
| Owners: | HC 32 BOX | GERHARD W HELM HC 32 BOX 4161 MILES CITY, MT 59301 | | | | |
| | HELM HER HC 32 BOX MILES CIT | < 4161 | | | | |
| Priority Date: | APRIL 1, 1 | 949 | | | | |
| Type of Historical Right | :USE | | | | | |
| Purpose(use): | IRRIGATIC | IRRIGATION | | | | |
| Irrigation Type: | FLOOD | | | | | |
| Flow Rate: | 10.02 CFS | | | | | |
| *Volume: | | THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. | | | | |
| Climatic Area | : 1 - HIGH | | | | | |
| Maximum Acres: | 190.00 | | | | | |
| Source Name: | TONGUE F | RIVER | | | | |
| Source Type: | SURFACE WATER | | | | | |
| Point of Diversion and N | Point of Diversion and Means of Diversion: | | | | | |
| <u>ID</u> <u>Govt 1</u> | | <u>Qtr Sec</u> | Sec | | | County |
| 1 Diversion Means: | | SWSW | 7 | 5N | 48E | CUSTER |
| 2 | | /SWSW | 7 | 5N | 48F | CUSTER |
| Diversion Means: | | | ' | | FOL | ocoreix |
| Period of Use: | MARCH 15 TO NOVEMBER 15 | | | | | |

FEBRUARY 28, 2008 42C 186831-00

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Place of Use:

| <u>ID</u> | Acres Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | <u>Rge</u> | County |
|-----------|----------------|----------------|------------|-----|------------|---------------|
| 1 | 68.00 | S2SW | 7 | 5N | 48E | CUSTER |
| 2 | 34.00 | N2SW | 7 | 5N | 48E | CUSTER |
| 3 | 41.00 | W2SE | 7 | 5N | 48E | CUSTER |
| 4 | 47.00 | W2NE | 7 | 5N | 48E | CUSTER |
| Total: | 190.00 | | | | | |

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 3/19/2007: FLOW RATE, PRIORITY DATE, 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 PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON TONGUE RIVER WITH A PRIORITY DATE POSTDATING CASE NO. 2809 CUSTER COUNTY.

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| Water Right Number: | 42C 1870 Version: | 40-00 S 1 ORIC Status: | GINAL | | F CLAIM |
|---|------------------------|---|------------------|------------------|---|
| Owners: | 817 MISSI | MARIN FINANCIAL CORP 817 MISSION AVE SAN RAFAEL, CA 94901 | | | |
| Priority Date: | JANUARY | 1, 1960 | | | |
| Type of Historical Right | :USE | | | | |
| Purpose(use): | MULTIPLE | DOMEST | TIC | | |
| Flow Rate: | 15.00 GPN | 1 | | | |
| Volume: | 7.00 AC-FT | | | | |
| Households: | 7 | | | | |
| Source Name: | GROUNDWATER | | | | |
| Source Type: | GRO | UNDWAT | ER | | |
| | FLOWING | ARTESIA | N WEL | L. | |
| Point of Diversion and N | Means of Div | ersion: | | | |
| <u>ID</u> <u>Govt 1</u> | | <u>Qtr Sec</u> | Sec | <u>Twp</u> | <u>Rge</u> <u>County</u> |
| 1 | 2 NE 10 3S 44E ROSEBUD | | | | |
| Diversion Means: Period of Use: | WELL JANUARY | | | D 21 | |
| reriou of Use: | JANUARI | TIODEC | | K 31 | |
| Place of Use: | | | | | |
| <u>ID</u> <u>Acres</u> <u>Govt I</u> 1 | <u>2 2</u> | <u>Qtr Sec</u> NE | <u>Sec</u> 10 | <u>Twp</u> 3S | <u>Rge</u> <u>County</u> 44E ROSEBUD |
| i | 2 | | 10 | 55 | THE NOOLDOD |

Remarks:

Page 2 of 2

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

AS OF 12/07/2006 , THIS WATER RIGHT APPEARS TO BE OWNED BY TONGUE RIVER LUMBER COMPANY , POB 128 , LAME DEER , MT 59043.

THE POINT OF DIVERSION LEGAL LAND DESCRIPTION COULD NOT BE REFINED FROM INFORMATION IN THE CLAIM FILE.

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

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

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 187041-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | |
|-------------------------------|---|--|--|--|--|
| Owners: | MARIN FINANCIAL CORP 817 MISSION AVE SAN RAFAEL, CA 94901 | | | | |
| Priority Date: | JANUARY 1, 1960 | | | | |
| Type of Historical Right | t: USE | | | | |
| Purpose(use): Flow Rate: | MULTIPLE DOMESTIC 15.00 GPM | | | | |
| Volume: | 7.00 AC-FT | | | | |
| Households: | 7 | | | | |
| Maximum Acres: | 0.25 | | | | |
| Source Name: | GROUNDWATER | | | | |
| Source Type: | GROUNDWATER | | | | |
| | FLOWING ARTESIAN WELL | | | | |
| Point of Diversion and I | Means of Diversion: | | | | |
| IDGovt I1Diversion Means: | 1 NE 10 3S 44E ROSEBUD | | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | |
| Place of Use: | | | | | |
| <u>ID</u> <u>Acres Govt I</u> | Lot Qtr Sec Sec Twp Rge County | | | | |
| 1 0.25 | 1 NE 10 3S 44E ROSEBUD | | | | |
| Total: 0.25 | | | | | |

Remarks:

Page 2 of 2

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

AS OF 12/6/2006 , THIS WATER RIGHT APPEARS TO BE OWNED BY TONGUE RIVER LUMBER COMPANY , PO BOX 128 , LAME DEER , MT 59043.

THE POINT OF DIVERSION LEGAL LAND DESCRIPTION COULD NOT BE REFINED FROM INFORMATION IN THE CLAIM FILE.

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

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

......

PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 187194-00 STATEMENT OF CLAIM |
|--|---|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | TONN, ARMOND W TRUST %M C M TONN, TRUSTEES 1007 DOEDEN AVE MILES CITY, MT 59301 |
| Priority Date: | JANUARY 1, 1950 |
| Type of Historical Right | it: 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: | GROUNDWATER |
| Source Type: | GROUNDWATER |
| Point of Diversion and I | Means of Diversion: |
| $\frac{\mathbf{ID}}{1} \qquad \qquad \mathbf{Govt} \mathbf{I}$ | Lot <u>Qtr Sec</u> Sec <u>Twp</u> <u>Rge</u> <u>County</u> NENWSW 10 5N 49E CUSTER |
| 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 County</u> |
| 1 | NENWSW 10 5N 49E CUSTER |
| | IINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR |
| | RT TO THE WATER COURT. |

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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: | 42C 187195-00 | STATE | MENT O | F CLAIM | |
|----------------------------------|--|----------------------|------------------|----------------------------------|--|
| | Version: 1 | ORIGINAL | RIGHT | | |
| | Sta | tus: A | CTIVE | | |
| Owners: | TONN, ARMON %M C M TONN 1007 DOEDEN MILES CITY, M | TRUSTEI AVE | | | |
| *Priority Date: | DECEMBER 31 | , 1915 | | | |
| Type of Historical Right | :USE | | | | |
| Purpose(use): | STOCK | | | | |
| Flow Rate: | 20.00 GPM | | | | |
| *Volume: | STOCK WATER ANIMAL UNIT. | RING PUR ANIMAL U | POSES A | AT THE RATE OF ALL BE BASED (| R CONSUMPTIVELY USED FOR 5 30 GALLONS PER DAY PER ON REASONABLE CARRYING SERVICED BY THIS WATER |
| Source Name: | SPRING, UNNA | MED TRI | BUTARY | OF JACK CREE | К |
| Source Type: | GROUND | NATER | | | |
| Point of Diversion and M | Aeans of Diversion | 1: | | | |
| $\frac{\mathbf{ID}}{1}$ Govt 1 | Lot Qtr NWSW | | <u>Тwp</u> 5N | Rge County 49E CUSTER | |
| Diversion Means: | DEVELOPED S | PRING | | | |
| Period of Use: | JANUARY 1 TC | DECEMB | ER 31 | | |
| Place of Use: | | | | | |
| ID Acres Govt I | <u>.ot</u> <u>Qtr</u> | Sec Sec | Twp | <u>Rge</u> <u>County</u> | |
| 1 | NWSW | | 5N | 49E CUSTER | |
| THE DNRC EXAM ISSUES TO REPOR | INATION OF T T TO THE WA | HIS CLA TER COU | IM FOU URT. | ND NO SIGNIF | ICANT FACTS, DATA, OR |

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 187196-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | |
|--|---|--|--|
| Owners: | TONN, ARMOND W TRUST %M C M TONN, TRUSTEES 1007 DOEDEN AVE MILES CITY, MT 59301 | | |
| Priority Date: | JANUARY 1, 1950 | | |
| 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: | GROUNDWATER | | |
| Source Type: | GROUNDWATER | | |
| | ALSO KNOWN AS GREEN ACRES WELL | | |
| *Point of Diversion and M | Means of Diversion: | | |
| ID Govt 1 1 Diversion Means: | Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWSWNE 30 5N 50E CUSTER WELL | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | |
| | | | |
| Place of Use: <u>ID Acres Govt I</u> 1 | Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> SWSWNE 30 5N 50E CUSTER | | |

Page 2 of 2

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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: | 42C 187197-00 STATEMENT OF CLAIM | | | | | |
|---|--|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | | |
| | Status: ACTIVE | | | | | |
| Owners: | A FRANK HAGEN HORSE CREEK RANCH 221 OTTER CREEK ROAD ASHLAND, MT 59003 | | | | | |
| | DOROTHY M HAGEN-DUPONT HORSE CREEK RANCH 221 OTTER CREEK ROAD ASHLAND, MT 59003 | | | | | |
| | THIS WATER RIGHT WAS TRANSFERRED TWICE IN ONE DAY. FROM CAROL WASH TO WILLIAM WASH, THEN WILLIAM WASH TO THE HAGENS. | | | | | |
| Priority Date: | MARCH 20, 1907 | | | | | |
| Type of Historical Right | FILED | | | | | |
| Purpose(use): | IRRIGATION | | | | | |
| Irrigation Type: | WATER SPREADING | | | | | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. | | | | | |
| Volume: | 100.00 AC-FT | | | | | |
| Climatic Area | 2 - MODERATELY HIGH | | | | | |
| Maximum Acres: | 100.00 | | | | | |
| *Source Name: | OTTER CREEK | | | | | |
| Source Type: | SURFACE WATER | | | | | |
| *Point of Diversion and Means of Diversion: | | | | | | |
| ID Govt I | Lot <u>Qtr Sec Sec Twp</u> <u>Rge</u> <u>County</u> SENESW 13 7S 45E POWDER RIVER | | | | | |
| Diversion Means: | DIVERSION DAM | | | | | |
| Period of Use: | ANUARY 1 TO DECEMBER 31 | | | | | |

FEBRUARY 28, 2008 42C 187197-00

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Place of Use:

| <u>ID</u> | Acres Govt Lot | <u>Qtr Sec</u> | Sec | Twp | <u>Rge</u> <u>County</u> |
|-----------|----------------|----------------|-----|-----|--------------------------|
| 1 | 90.00 | | 13 | 7S | 45E POWDER RIVER |
| 2 | 10.00 | S2SE | 12 | 7S | 45E POWDER RIVER |
| | | | | | |

Total: 100.00

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

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PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C 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: | 42C 187198-00 STATEMENT OF CLAIM | | | | | |
|--|---|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | | |
| | Status: ACTIVE | | | | | |
| Owners: | K C RANCH PARTNERSHIP 1501 BRYANT AVE MAHTOMEDI, MN 55115 | | | | | |
| Priority Date: | MARCH 3, 1922 | | | | | |
| Type of Historical Right | t: USE | | | | | |
| Purpose(use): | STOCK | | | | | |
| Flow Rate: | 10.00 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 DENVERS PRONG | | | | | |
| Source Type: | GROUNDWATER | | | | | |
| | ALSO KNOWN AS CUNNINGHAM SPRING | | | | | |
| Point of Diversion and M | Means of Diversion: | | | | | |
| ID Govt] | SWSWNE 23 8S 46E POWDER RIVER | | | | | |
| | PUMP JANUARY 1 TO DECEMBER 31 | | | | | |
| Period of Use: | JANUART TO DECEMBER 31 | | | | | |
| Place of Use: | | | | | | |
| <u>ID</u> <u>Acres Govt I</u> | | | | | | |
| 1 | SWSWNE 23 8S 46E POWDER RIVER | | | | | |
| THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT. | | | | | | |

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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 R | ight Number: | 42C 1871 | 99-00 S | TATEN | IENT O | F CLA | IM | |
|-----------|----------------------------|---|----------------|-------|--------|------------|---|--|
| | | Version: | 1 ORI0 | GINAL | RIGHT | | | |
| | Status: ACTIVE | | | | | | | |
| Owners | : | K C RANCH PARTNERSHIP 1501 BRYANT AVE MAHTOMEDI, MN 55115 | | | | | | |
| *Priority | Date: | OCTOBER | R 26, 1940 | | | | | |
| Type of | Historical Right | :USE | | | | | | |
| Purpose | e(use): | IRRIGATIO | NC | | | | | |
| I | rrigation Type: | WATER S | PREADIN | G | | | | |
| *Flow Ra | ite: | | | | | | EN DECREED BECAUSE THIS USE SPREADING. | |
| Volume | : | 1.00 AC-F | т | | | | | |
| | Climatic Area: | 2 - MODER | RATELY H | IGH | | | | |
| Maximu | ım Acres: | 20.00 | | | | | | |
| Source 1 | Name: | INDIAN CREEK, SOUTH FORK | | | | | | |
| Sour | ce Type: | SURFACE WATER | | | | | | |
| *Point of | Diversion and N | Aeans of Div | version: | | | | | |
| ID | <u>Govt I</u> | Lot | Qtr Sec | Sec | Twp | Rge | <u>County</u> | |
| 1 | | - | ENENW | 1 | 8S | 46E | POWDER RIVER | |
| Di | version Means: | DIKE | | | | | | |
| *Period o | 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> | County | |
| 1 | 8.00 | 3 | NENW | 1 | 8S | | POWDER RIVER | |
| 2 | 5.00 | 4 | SWSW | 31 | 7S | | POWDER RIVER | |
| 3 | 7.00 | 3 | NWSW | 31 | 7S | 47E | POWDER RIVER | |
| Total: | 20.00 | | | | | | | |

Page 2 of 2

Remarks:

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

187199-00 187200-00

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

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

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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: | 42C 187200-00 STATEMENT OF CLAIM | | | | | |
|---------------------------|---|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | | |
| | Status: ACTIVE | | | | | |
| Owners: | K C RANCH PARTNERSHIP 1501 BRYANT AVE MAHTOMEDI, MN 55115 | | | | | |
| *Priority Date: | OCTOBER 26, 1940 | | | | | |
| Type of Historical Right | FILED | | | | | |
| Purpose(use): | IRRIGATION | | | | | |
| Irrigation Type: | WATER SPREADING | | | | | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. | | | | | |
| Volume: | 3.50 AC-FT | | | | | |
| Climatic Area | 2 - MODERATELY HIGH | | | | | |
| Maximum Acres: | 19.00 | | | | | |
| *Source Name: | THOMPSON DRAW | | | | | |
| Source Type: | SURFACE WATER | | | | | |
| | ALSO KNOWN AS THOMPSON PRONG SOUTH INDIAN CREEK | | | | | |
| *Point of Diversion and I | eans of Diversion: | | | | | |
| <u>ID</u> <u>Govt</u> | ot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> 3 NENW 1 8S 46E POWDER RIVER | | | | | |
| Diversion Means: | DIVERSION DAM | | | | | |
| *Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | | |
| *Place of Use: | | | | | | |
| ID <u>Acres</u> Govt 1 | ot <u>Qtr Sec Sec Twp Rge County</u> | | | | | |
| 1 5.00 | 3 NENW 1 8S 46E POWDER RIVER | | | | | |
| 2 12.00 3 2.00 | 4SWSW317S47EPOWDER RIVER3NWSW317S47EPOWDER RIVER | | | | | |

FEBRUARY 28, 2008 42C 187200-00

Page 2 of 2

*Place of Use:

| ID | Acres Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | Rge | <u>County</u> |
|--------|----------------|----------------|------------|-----|-----|---------------|
| Total: | 19.00 | | | | | |

Remarks:

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

187199-00 187200-00

THIS IMPLIED CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 42C 187199.

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 187972-00 STATEMENT OF CLAIM | | | | | |
|--|---|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | | |
| | Status: ACTIVE | | | | | |
| Owners: | JACQUELINE A BEUMER 40 N 15TH AVE WAITE PARK, MN 56387 | | | | | |
| Priority Date: | OCTOBER 12, 1938 | | | | | |
| 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 JOHNSON CREEK | | | | | |
| Source Type: | SURFACE WATER | | | | | |
| Point of Diversion and Means of Diversion: | | | | | | |
| ID Covt | Lat Otr Sag Sag Two Bag County | | | | | |

| ID | Govt I | Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | Rge | <u>County</u> |
|----|--------|----------------|----------------|------------|-----|-----|---------------|
| 1 | | | NENWSW | 26 | 6N | 50E | CUSTER |
| | | D A A A | | | | | |

Diversion Means: DAM

FEBRUARY 28, 2008 42C 187972-00 Page 2 of 2

| Reservoir: | ONSTREA | M | | | | | |
|-------------------|---|----------------|--------------------------------|--------------------|------------------|-------------------|-------------------------------|
| | <u>Govt L</u> | ot Qti NENW | <u>: Sec</u> <u>S</u> /SW 2 | <u>Sec 1</u> 26 | <u>Гwр</u> 6N | <u>Rge</u> 50E | <u>County</u> CUSTER |
| Dam | Height: | 8.00 | FEET | | | | |
| Dept | h: | 30.00 | FEET | | | | |
| Surfa | ace Area: | 13.00 | ACRES | 6 | | | |
| Capa | city: | 156.00 | ACRE-I | FEET | | | |
| | SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITION RESERVOIR DATA. | | | | | | THE CLAIM FILE FOR ADDITIONAL |
| Period of Us | se: | JANUARY 1 T | O DECE | MBER | 31 | | |
| Place of Use | : | | | | | | |
| <u>ID</u> | <u>Acres Govt L</u> | ot Qt | r Sec S | Sec 1 | Гwр | Rge | County |
| 1 | | NENW | /SW | 26 | 6N | 50E | CUSTER |

Remarks:

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

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF 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: | 42C 187973-00 STATEMENT OF CLAIM | | | | | |
|--|---|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | | |
| | Status: ACTIVE | | | | | |
| Owners: | JACQUELINE A BEUMER 40 N 15TH AVE WAITE PARK, MN 56387 | | | | | |
| Priority Date: | NOVEMBER 12, 1942 | | | | | |
| 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 JOHNSON CREEK | | | | | |
| Source Type: | SURFACE WATER | | | | | |
| Point of Diversion and Means of Diversion: | | | | | | |
| ID Govt | Lot <u>Qtr Sec Sec Twp Rge County</u> | | | | | |

SWNWNW

Diversion Means: DAM

21

6N 50E CUSTER

FEBRUARY 28, 2008 42C 187973-00 Page 2 of 2

> **ONSTREAM Reservoir: Govt Lot Otr Sec** Sec Twp <u>Rge</u> <u>County</u> SWNWNW 21 50E CUSTER 6N 40.00 FEET **Dam Height:** 20.00 FEET Depth: **Surface Area:** 2.10 ACRES **Capacity:** 16.80 ACRE-FEET Period of Use: **JANUARY 1 TO DECEMBER 31** Place of Use: ID **Acres Govt Lot** Twp **Rge** County Qtr Sec Sec W2NWNW 1 21 6N 50E CUSTER 2 **50E CUSTER** E2NENE 20 6N

Remarks:

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

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF 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: | 42C 187974-00 STATEMENT OF CLAIM | | | | | |
|--|---|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | | |
| | Status: ACTIVE | | | | | |
| Owners: | JACQUELINE A BEUMER 40 N 15TH AVE WAITE PARK, MN 56387 | | | | | |
| Priority Date: | AUGUST 1, 1955 | | | | | |
| Type of Historical Right | 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 JOHNSON CREEK | | | | | |
| Source Type: | SURFACE WATER | | | | | |
| Point of Diversion and Means of Diversion: | | | | | | |
| ID Covt | Lat Otr Sag Sag Two Day County | | | | | |

| ID | <u>G</u> | ovt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | Rge | <u>County</u> |
|----|----------|---------|----------------|------------|-----|-----|---------------|
| 1 | | | SWNESW | 22 | 6N | 50E | CUSTER |
| | | | | | | | |

Diversion Means: DAM

FEBRUARY 28, 2008 42C 187974-00 Page 2 of 2

Reservoir: ONSTREAM

| <u>Govt</u>] | <u>Lot</u> <u>Qti</u> SWNE | | <u>Sec</u> 22 | <u>Twp</u> 6N | Rge | <u>County</u> CUSTER |
|----------------|-------------------------------|--------|------------------|------------------|-----|-------------------------|
| | SVVINE | -200 | 22 | OIN | 50E | CUSIER |
| Dam Height: | 12.00 | FEET | | | | |
| Depth: | 10.00 | FEET | | | | |
| Surface Area: | 0.86 | ACRE | S | | | |
| Capacity: | 3.44 | ACRE | -FEET | | | |
| Period of Use: | JANUARY 1 T | O DECI | EMBER | 31 | | |

Place of Use:

| ID | Acres Govt Lot | <u>Qtr Sec</u> | Sec | Twp | Rge County |
|----|----------------|----------------|-----|-----|------------|
| 1 | | SWNESW | 22 | 6N | 50E CUSTER |

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/24/1988: POINT OF DIVERSION, PLACE OF USE.

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

THE 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

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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: | 42C 187975-00 STATEMENT OF CLAIM | | | | |
|---|---|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | |
| | Status: ACTIVE | | | | |
| Owners: | JACQUELINE A BEUMER 40 N 15TH AVE WAITE PARK, MN 56387 | | | | |
| Priority Date: | OCTOBER 15, 1955 | | | | |
| 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 JOHNSON CREEK | | | | |
| Source Type: | SURFACE WATER | | | | |
| *Point of Diversion and Means of Diversion: | | | | | |

| ID | Govt Lot | <u>Qtr Sec</u> | Sec | Twp | Rge County |
|----|----------|----------------|-----|-----|------------|
| 1 | | SENWSW | 15 | 6N | 50E CUSTER |
| | | | | | |

Diversion Means: DAM

FEBRUARY 28, 2008 42C 187975-00 Page 2 of 2

ONSTREAM Reservoir: Govt Lot Otr Sec Sec Twp <u>Rge</u> <u>County</u> 50E CUSTER SENWSW 15 6N 48.00 FEET **Dam Height:** 20.00 FEET Depth: **Surface Area:** 2.10 ACRES Capacity: 16.80 ACRE-FEET Period of Use: **JANUARY 1 TO DECEMBER 31** Place of Use: Rge County ID Acres Govt Lot Qtr Sec Sec Twp 1 NWSW 15 6N 50E CUSTER

Remarks:

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

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

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

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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: | 42C 187976-00 STATEMENT OF CLAIM | | | | |
|--|---|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | |
| | Status: ACTIVE | | | | |
| Owners: | JACQUELINE A BEUMER 40 N 15TH AVE WAITE PARK, MN 56387 | | | | |
| Priority Date: | MARCH 28, 1943 | | | | |
| 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 JOHNSON CREEK | | | | |
| Source Type: | SURFACE WATER | | | | |
| Point of Diversion and Means of Diversion: | | | | | |
| ID Covt | Lat Otr Sag Sag Two Pag County | | | | |

| ID | <u>Go</u> | vt Lot | <u>Qtr Sec</u> | Sec | Twp | Rge | County |
|----|-----------|------------------|----------------|-----|-----|-----|---------------|
| 1 | | | NWNWSW | 26 | 6N | 50E | CUSTER |
| | | - • • • • | | | | | |

Diversion Means: DAM

FEBRUARY 28, 2008 42C 187976-00 Page 2 of 2

ONSTREAM Reservoir: Govt Lot Otr Sec Sec Twp <u>Rge</u> <u>County</u> 50E CUSTER NWNWSW 26 6N 80.00 FEET **Dam Height:** 40.00 FEET Depth: **Surface Area:** 1.34 ACRES Capacity: 21.00 ACRE-FEET Period of Use: **JANUARY 1 TO DECEMBER 31** Place of Use: Rge County ID Acres Govt Lot Qtr Sec Twp Sec N2NWSW 1 26 6N 50E CUSTER

Remarks:

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

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

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

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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: | 42C 187977-00 STATEMENT OF CLAIM |
|---------------------------|---|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | JACQUELINE A BEUMER 40 N 15TH AVE WAITE PARK, MN 56387 |
| Priority Date: | MAY 12, 1941 |
| 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 JOHNSON CREEK |
| Source Type: | SURFACE WATER |
| *Point of Diversion and I | Means of Diversion: |

| <u>ID</u> | Govt Lot | <u>Qtr Sec</u> | Sec | Twp | Rge County |
|-----------|----------|----------------|-----|-----|------------|
| 1 | | NESWSE | 21 | 6N | 50E CUSTER |
| | | | | | |

Diversion Means: DAM

FEBRUARY 28, 2008 42C 187977-00 Page 2 of 2

*Reservoir: ONSTREAM

| <u>Govt I</u> | Lot Qtr NESV | <u>r Sec</u> VSE | <u>Sec</u> 21 | <u>Тwp</u> 6N | <u>Rge</u> 50E | <u>County</u> CUSTER |
|----------------|-----------------|---------------------|------------------|------------------|-------------------|-------------------------|
| Dam Height: | 28.00 | FEET | | | | |
| Depth: | 20.00 | FEET | | | | |
| Surface Area: | 3.72 | ACRE | S | | | |
| Capacity: | 29.80 | ACRE | -FEE | Г | | |
| Period of Use: | JANUARY 1 T | O DEC | EMBE | R 31 | | |
| Place of Use: | | | | | | |

| ID | Acres Govt Lot | <u>Qtr Sec</u> | Sec | Twp | Rge County |
|----|----------------|----------------|-----|-----|------------|
| 1 | | N2SWSE | 21 | 6N | 50E CUSTER |

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.

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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: | 42C 187978-00 STATEMENT OF CLAIM |
|-------------------------|---|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | JACQUELINE A BEUMER 40 N 15TH AVE WAITE PARK, MN 56387 |
| Priority Date: | MARCH 18, 1943 |
| Type of Historical Rig | ght: 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: | JOHNSON CREEK |
| Source Type: | SURFACE WATER |
| *Point of Diversion and | d Means of Diversion: |
| <u>ID</u> <u>Gov</u> | <u>rt Lot Qtr Sec Sec Twp Rge County</u> |
| 1 | NWNENE 21 6N 50E CUSTER |

Diversion Means: DAM

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ONSTREAM Reservoir: Govt Lot Otr Sec Sec Twp <u>Rge</u> <u>County</u> 50E CUSTER NWNENE 21 6N 10.00 FEET **Dam Height:** 8.00 FEET Depth: **Surface Area:** 6.30 ACRES **Capacity:** 20.16 ACRE-FEET THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC. **JANUARY 1 TO DECEMBER 31 Period of Use:** Place of Use: ID Acres Govt Lot Qtr Sec **Rge** County Sec Twp 1 NWNENE 21 50E CUSTER 6N 2 NENENWNE **50E CUSTER** 21 6N

Remarks:

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

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF 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: | 42C 187996-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | |
|---|---|--|--|--|--|
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 | | | | |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 | | | | |
| Priority Date: | MAY 31, 1938 | | | | |
| 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 BEAR CREEK | | | | |
| Source Type: | SURFACE WATER | | | | |
| *Point of Diversion and I | *Point of Diversion and Means of Diversion: | | | | |
| <u>ID</u> <u>Govt</u> | Lot <u>Qtr Sec Sec Twp Rge</u> County SESENW 14 8S 45E POWDER RIVER | | | | |
| Period of Diversio Diversion Means: | n:JANUARY 1 TO DECEMBER 31 | | | | |
| | | | | | |

FEBRUARY 28, 2008 42C 187996-00 Page 2 of 2

ONSTREAM **Reservoir Name: MILLER RESERVOIR #2** *Reservoir: Sec Rge County 45E POWDER RIVER **Govt Lot Otr Sec** Twp SESENW 14 8S 10.00 FEET Depth: **Surface Area:** 0.20 ACRES **Capacity:** 0.80 ACRE-FEET THE MAX. DEPTH. SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY DNRC. **JANUARY 1 TO DECEMBER 31** Period of Use: Place of Use: ID Acres Govt Lot **Qtr Sec** Twp Rge County Sec 1 SESENW 14 8S 45E POWDER RIVER THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR **ISSUES TO REPORT TO THE WATER COURT.**

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 187997-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT |
|-------------------------|---|
| | Status: ACTIVE |
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 |
| Priority Date: | MARCH 16, 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. |
| *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 BEAR CREEK |
| Source Type: | SURFACE WATER |
| | ALSO KNOWN AS QUINN CREEK |
| *Point of Diversion and | |
| <u>ID</u> <u>Govt</u> | Lot Qtr Sec Sec Twp Rge County NESENE 8 8S 45E POWDER RIVER |
| Diversion Means: | LIVESTOCK DIRECT FROM SOURCE |
| 2 | NENENW 9 8S 45E POWDER RIVER |
| Diversion Means: | LIVESTOCK DIRECT FROM SOURCE |

FEBRUARY 28, 2008 42C 187997-00

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*Point of Diversion and Means of Diversion:

| <u>ID</u> | Govt Lot | | <u>Qtr Sec</u> | Sec | Twp | | County |
|-------------|---------------------|---------|----------------|-------|--------|-----|--------------|
| 3 | ſ | | NESWSE | 4 | 85 | 45E | POWDER RIVER |
| Diver | sion Means: | LIVESTO | CK DIREC | T FRO | M SOUF | RCE | |
| Period of U | J se: | JANUARY | 1 TO DEC | EMBE | R 31 | | |
| Place of Us | se: Acres Govt I | ot | Otr Sec | Sec | Twn | Rge | County |

| <u>ID</u> | Acres Gove Lot | Qu sec | Sec | <u>1 wp</u> | Rge | County |
|-----------|----------------|--------|-----|-------------|-----|--------------|
| 1 | | NESENE | 8 | 8S | 45E | POWDER RIVER |
| 2 | | NENENW | 9 | 8S | 45E | POWDER RIVER |
| 3 | | NESWSE | 4 | 8S | 45E | POWDER RIVER |
| | | | | | | |

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 187999-00 STATEMENT OF CLAIM |
|----------------------------------|---|
| | Version: 1 ORIGINAL RIGHT |
| | Status: ACTIVE |
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 |
| Priority Date: | NOVEMBER 8, 1919 |
| 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. |
| *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: | BEAR CREEK |
| Source Type: | SURFACE WATER |
| *Point of Diversion and I | Means of Diversion: |
| \underline{ID}_{1} <u>Govt</u> | Lot <u>Qtr Sec Sec Twp Rge County</u> 10 8S 45E POWDER RIVER |
| Diversion Means: | LIVESTOCK DIRECT FROM SOURCE |
| 2 | N2 15 8S 45E POWDER RIVER |
| Diversion Means: | LIVESTOCK DIRECT FROM SOURCE |
| 3 | SW 15 8S 45E POWDER RIVER |
| Diversion Means: | LIVESTOCK DIRECT FROM SOURCE |

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42C 187999-00

3

4

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*Point of Diversion and Means of Diversion:

| $\frac{ID}{4}$ | Govt Lot | | <u>Qtr Sec</u> NWSE | <u>Sec</u> 15 | <u>Twp</u> 8S | $\frac{\text{Rge}}{45\text{E}}$ | <u>County</u> POWDER RIVER |
|----------------|----------------------------|-----------|------------------------|------------------|------------------|---------------------------------|-------------------------------|
| | rsion Means: | LIVESTO | | | ••• | = | FOWDER RIVER |
| Period of | Use: | JANUARY | 1 TO DEC | CEMBE | R 31 | | |
| Place of U | Jse: | | | | | | |
| <u>ID</u> | <u>Acres</u> <u>Govt L</u> | <u>ot</u> | <u>Qtr Sec</u> | <u>Sec</u> | Twp | <u>Rge</u> | County |
| 1 | | | | 10 | 8S | 45E | POWDER RIVER |
| 2 | | | N2 | 15 | 8S | 45E | POWDER RIVER |

SW

NWSE

15

15

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

8S

8S

45E POWDER RIVER

45E POWDER RIVER

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 188000-00 STATEMENT OF CLAIM | | | |
|---|---|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | |
| | Status: ACTIVE | | | |
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 | | | |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 | | | |
| *Priority Date: | APRIL 30, 1958 | | | |
| Type of Historical Right | 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: | MUD SPRINGS CREEK | | | |
| Source Type: | SURFACE WATER | | | |
| *Point of Diversion and Means of Diversion: | | | | |
| IDGovt1Period of DiversioDiversion Means: | Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWSWSE 16 8S 45E POWDER RIVER n:JANUARY 1 TO DECEMBER 31 DAM | | | |

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| *Reservoir: | ONSTREAM | REAM Reservoir Name: SCHOOL SECTION RESERVOIR | | | | | |
|--------------|------------------------------|---|---|---|--|--|--|
| | Govt Lot | <u>Qtr Sec</u> <u>Se</u> NWSWSE 1 | $\frac{\mathbf{c}}{6} = \frac{\mathbf{Twp}}{8\mathbf{S}}$ | | | | |
| Dam | Height: | 13.00 FEET | | | | | |
| Dept | h: | 10.00 FEET | | | | | |
| Surfa | ace Area: | 3.10 ACRES | | | | | |
| Capa | city: | 12.40 ACRE-F | EET | | | | |
| | THE DNI | , | ieight, ai | AND SURFACE AREA HAVE BEEN ESTIMATED BY | | | |
| Period of Us | se: JAN | IUARY 1 TO DECEN | 1BER 31 | | | | |
| Place of Use | : | | | | | | |
| <u>ID</u> | <u>Acres</u> <u>Govt Lot</u> | <u>Qtr Sec</u> <u>Sec</u> | <u>ec Twp</u> | Rge County | | | |
| 1 | | NWSWSE 1 | 6 8S | 45E POWDER RIVER | | | |

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.

188000-00 188008-00

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF 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: | 42C 1880 | 01-00 S | TATEN | IENT O | F CLA | IM | |
|---|-----------------------------------|-------------------------|------------------|------------------|-------|--|--|
| | Version: | 1 ORIC | GINAL | RIGHT | | | |
| | | Status: | AC | CTIVE | | | |
| Owners: | ADDIE M C PO BOX 1 OTTER, M | | 1 | | | | |
| | HORACE F PO BOX 1 OTTER, M | | /IN | | | | |
| Priority Date: | SEPTEMB | ER 24, 19 | 34 | | | | |
| Type of Historical Righ | t:USE | | | | | | |
| Purpose(use): | STOCK | | | | | | |
| Flow Rate: | 25.00 GPM | | | | | | |
| *Volume: | STOCK W | ATERING NIT. ANIN | PURP IAL 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: | GROUNDV | VATER | | | | | |
| Source Type: | GRO | UNDWAT | ER | | | | |
| | ALSO KNO | OWN AS F | IOUSE | PASTU | RE W | /ELL #1 | |
| *Point of Diversion and Means of Diversion: | | | | | | | |
| <u>ID</u> <u>Govt</u> | N | <u>Qtr Sec</u> VSENW | <u>Sec</u> 20 | <u>Twp</u> 8S | | <u>County</u> POWDER RIVER | |
| Diversion Means: | | | | -D 04 | | | |
| Period of Use: | JANUARY | TIODEC | | R 31 | | | |
| Place of Use: | r , | | G | T | Ð | | |
| <u>ID</u> <u>Acres Govt</u> | | <u>Qtr Sec</u> VSENW | <u>Sec</u> 20 | <u>Twp</u> 8S | | <u>County</u> POWDER RIVER | |
| I | 111 | | 20 | 00 | -02 | | |

42C 188001-00

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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.

188001-00 188006-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/31/2007: FLOW RATE, PRIORITY DATE.

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

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE REDUNDANT FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED. 49400, 188001.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 188002-00 STATEMENT OF CLAIM | | | | | | |
|---|---|--|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | | | |
| | Status: ACTIVE | | | | | | |
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 | | | | | | |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 | | | | | | |
| *Priority Date: | APRIL 30, 1955 | | | | | | |
| 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 STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY F ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRY CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WAT SOURCE. | | | | | | | |
| Source Name: | UNNAMED TRIBUTARY OF MUD SPRINGS CREEK | | | | | | |
| Source Type: | SURFACE WATER | | | | | | |
| *Point of Diversion and I | Means of Diversion: | | | | | | |
| <u>ID</u> <u>Govt</u> | | | | | | | |
| 1 SESWNW 20 8S 45E POWDER RIVER Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: DAM | | | | | | | |
| Reservoir: ONSTRE | AM Reservoir Name: HOUSEPASTURE FLOOD RESERVOIR | | | | | | |
| <u>Govt</u>] | Lot <u>Qtr Sec</u> Sec <u>Twp</u> <u>Rge</u> <u>County</u> SESWNW 20 8S 45E POWDER RIVER | | | | | | |

FEBRUARY 28, 2008

42C 188002-00

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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 | Rge | County |
|-----------|-----------------------|----------------|------------|-----|-----|---------------|
| 1 | | SESWNW | 20 | 8S | 45E | POWDER RIVER |

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.

EXISTENCE OF THE CLAIMED RESERVOIR CANNOT BE CONFIRMED WITH 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: | 42C 188003-00 STATEMENT OF CLAIM | | | | | | | |
|--|---|--|--|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | | | | |
| | Status: ACTIVE | | | | | | | |
| Owners: | JAMES W GUERCIO 1300 WALNUT ST, STE 200 BOULDER, CO 80302 5269 | | | | | | | |
| *Priority Date: | OCTOBER 31, 1940 | | | | | | | |
| Type of Historical Right | 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: | GROUNDWATER | | | | | | | |
| Source Type: | GROUNDWATER | | | | | | | |
| | ALSO KNOWN AS COSSITT WELL | | | | | | | |
| Point of Diversion and I | Means of Diversion: | | | | | | | |
| ID Govt | NESENE 1 9S 44E BIG HORN | | | | | | | |
| Diversion Means: | | | | | | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | | | | |
| Place of Use: <u>ID</u> <u>Acres</u> <u>Govt 1</u> 1 | Lot <u>Qtr Sec Sec Twp Rge County</u> NESENE 1 9S 44E BIG HORN | | | | | | | |

Page 2 of 2

42C 188003-00

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. 188003-00 188005-00

100003-00

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF 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: | 42C 188 Version: | 005-00 S 1 ORI Status: | GINAL | /ENT O RIGHT CTIVE | F CLA | MM | |
|------------------------------------|--|------------------------------|-----------------|--------------------------|-------------------|---------------------------|--|
| Owners: | JAMES W GUERCIO 1300 WALNUT ST, STE 200 BOULDER, CO 80302 5269 | | | | | | |
| *Priority Date: | Priority Date: OCTOBER 31, 1940 | | | | | | |
| Type of Historical Righ | t:USE | | | | | | |
| Purpose(use): Flow Rate: | | | | | | | |
| Volume: | 1.50 AC- | | | | | | |
| Households: | 1 | | | | | | |
| Maximum Acres: | 0.50 | | | | | | |
| Source Name: | GROUNDWATER | | | | | | |
| Source Type: | GROUNDWATER ALSO KNOWN AS COSSITT WELL | | | | | | |
| | ALSO KN | IOWN AS | COSSI | IT WEL | L | | |
| Point of Diversion and I | Means of D | iversion: | | | | | |
| <u>ID</u> <u>Govt</u> | <u>Lot</u> | <u>Qtr Sec</u> NESENE | <u>Sec</u> 1 | <u>Twp</u> 9S | <u>Rge</u> 44E | <u>County</u> BIG HORN | |
| Diversion Means: | WELL | | | | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | | | |
| Place of Use: | | | | | | | |
| <u>ID</u> <u>Acres</u> <u>Govt</u> | Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | <u>Rge</u> | County | |
| 1 0.50 | | NESENE | 1 | 9S | 44E | BIG HORN | |
| Total: 0.50 | | | | | | | |

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42C 188005-00

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. 188003-00 188005-00

100003-00

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

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

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

PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: 42C 188006-00 STATEMENT OF CLAIM | | | | | | | | |
|--|--|--|--|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | | | | |
| | Status: ACTIVE | | | | | | | |
| Owners: ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 | | | | | | | | |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 | | | | | | | |
| Priority Date: | SEPTEMBER 24, 1934 | | | | | | | |
| Type of Historical Right | :USE | | | | | | | |
| *Purpose(use): | MULTIPLE DOMESTIC | | | | | | | |
| Flow Rate: | 25.00 GPM | | | | | | | |
| Volume: | 1.50 AC-FT | | | | | | | |
| Households: | 2 | | | | | | | |
| Maximum Acres: | 1.00 | | | | | | | |
| Source Name: | GROUNDWATER | | | | | | | |
| Source Type: | GROUNDWATER | | | | | | | |
| | ALSO KNOWN AS HOUSE PASTURE WELL #1. | | | | | | | |
| *Point of Diversion and I | Means of Diversion: | | | | | | | |
| ID Govt 1 | Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWSENW 20 8S 45E POWDER RIVER | | | | | | | |
| Diversion Means: | | | | | | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | | | | |
| Place of Use: | | | | | | | | |
| IDAcresGovt I11.00 | Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NWSENW 20 8S 45E POWDER RIVER | | | | | | | |

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| Place of | f Use: | | | | | |
|-----------|----------------|----------------|------------|-----|-----|---------------|
| <u>ID</u> | Acres Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | Rge | <u>County</u> |
| Total: | 1.00 | | | | | |

Remarks:

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

188001-00 188006-00

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 05/31/2007: FLOW RATE, PRIORITY DATE.

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

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT APPEAR TO BE REDUNDANT FILINGS. IT APPEARS ONLY ONE WATER RIGHT IS INVOLVED. 49400, 188006.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 188008-00 STATEMENT OF CLAIM | | | | | |
|---|--|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | | |
| | Status: ACTIVE | | | | | |
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 | | | | | |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 | | | | | |
| Priority Date: | APRIL 30, 1958 | | | | | |
| Type of Historical Right | :USE | | | | | |
| Purpose(use): | IRRIGATION | | | | | |
| Irrigation Type: | WATER SPREADING | | | | | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. | | | | | |
| *Volume: | 66.00 AC-FT | | | | | |
| | THE VOLUME OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 2.0 ACRE- FEET PER ACRE GUIDELINE FOR WATER SPREADING. THE VOLUME MAY BE CONTESTED BY PROPER OBJECTION. | | | | | |
| Climatic Area: | 2 - MODERATELY HIGH | | | | | |
| Maximum Acres: | 33.00 | | | | | |
| Source Name: | MUD SPRINGS CREEK | | | | | |
| Source Type: | SURFACE WATER | | | | | |
| *Point of Diversion and Means of Diversion: | | | | | | |
| $\frac{\text{ID}}{1} \qquad \qquad \frac{\text{Govt I}}{1}$ | <u>Lot Qtr Sec Sec Twp Rge County</u> NWSWSE 16 8S 45E POWDER RIVER | | | | | |
| Period of Diversior Diversion Means: | I:JANUARY 1 TO DECEMBER 31 DAM | | | | | |
| | | | | | | |

FEBRUARY 28, 2008 42C 188008-00

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ONSTREAM Reservoir Name: SCHOOL SECTION RESERVOIR *Reservoir: Rge County 45E POWDER RIVER **Govt Lot Otr Sec** Sec <u>Twp</u> NWSWSE 16 8S 13.00 FEET **Dam Height:** 10.00 FEET Depth: Surface Area: 3.10 ACRES Capacity: 12.40 ACRE-FEET THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC. **JANUARY 1 TO DECEMBER 31** *Period of Use: *Place of Use:

| ID | Acres Govt Lot | <u>Qtr Sec</u> | Sec | Twp | Rge County |
|--------|----------------|----------------|-----|-----|------------------|
| 1 | 20.00 | S2SE | 16 | 8S | 45E POWDER RIVER |
| 2 | 13.00 | S2SW | 15 | 8S | 45E POWDER RIVER |
| Total: | 33.00 | | | | |

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.

188000-00 188008-00

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

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

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

IMPORTANT NOTICE

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| Water Right Number: | 42C 188009-00 STATEMENT OF CLAIM | | | | | |
|--|--|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | | |
| | Status: ACTIVE | | | | | |
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 | | | | | |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 | | | | | |
| Priority Date: | JULY 6, 1951 | | | | | |
| Type of Historical Right | FILED | | | | | |
| Purpose(use): | IRRIGATION | | | | | |
| Irrigation Type: | WATER SPREADING | | | | | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. | | | | | |
| Volume: | 130.00 AC-FT | | | | | |
| | THE VOLUME OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 2.0 ACRE- FEET PER ACRE GUIDELINE FOR WATER SPREADING. THE VOLUME MAY BE CONTESTED BY PROPER OBJECTION. | | | | | |
| Climatic Area: | 2 - MODERATELY HIGH | | | | | |
| Maximum Acres: | 65.00 | | | | | |
| Source Name: | BEAR CREEK | | | | | |
| Source Type: | SURFACE WATER | | | | | |
| Point of Diversion and Means of Diversion: | | | | | | |
| <u>ID</u> <u>Govt I</u> | | | | | | |
| Pariod of Divorsion | SWSWNE 15 8S 45E POWDER RIVER I: JANUARY 1 TO DECEMBER 31 | | | | | |
| Diversion Means: | DAM | | | | | |

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PUMP IS SECONDARY MEANS OF DIVERSION.

| *Reservoir: | Reservoir: ONSTREAM Reservoir Name: BEAR CREEK RESERVOIR | | | | | | | |
|--------------------|--|--------------------------|------------------|------------------|-----|-------------------------------|--|--|
| | Govt Lot | <u>Qtr Sec</u> SWSWNE | <u>Sec</u> 15 | <u>Twp</u> 8S | | <u>County</u> POWDER RIVER | | |
| Depth | 1: | 15.00 FEE | Г | | | | | |
| Surfa | ce Area: | 2.50 ACR | ES | | | | | |
| Capa | city: | 15.00 ACR | E-FEE | т | | | | |
| | SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. | | | | | | | |
| *Period of Us | e: JAN | UARY 1 TO DE | CEMBE | ER 31 | | | | |
| *Place of Use | *Place of Use: | | | | | | | |
| <u>ID</u> <u>A</u> | Acres Govt Lot | Qtr Sec | Sec | Twp | Rge | County | | |
| 1 2 | 2.00 | W2NE | 15 | 8S | 45E | POWDER RIVER | | |
| 2 2 | 2.00 | NENW | 15 | 8S | 45E | POWDER RIVER | | |
| 3 1 | 3.00 | E2SENW | 15 | 8S | 45E | POWDER RIVER | | |

15

15

NWNWSE

NENESW

Remarks:

Total:

ā.....

4 5

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.

8S 45E POWDER RIVER

8S 45E POWDER RIVER

184145-00 188009-00

6.00

2.00

65.00

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

THE CLAIMED CONVEYANCE DITCH 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." FEBRUARY 28, 2008 42C 188009-00 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: | 42C 188010-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | |
|------------------------------|---|--|--|--|--|
| Owners: | ADDIE M GOODWIN PO BOX 1 OTTER, MT 59062 | | | | |
| | HORACE F GOODWIN PO BOX 1 OTTER, MT 59062 | | | | |
| Priority Date: | APRIL 15, 1962 | | | | |
| Type of Historical Right | :USE | | | | |
| Purpose(use): | IRRIGATION | | | | |
| Irrigation Type: | WATER SPREADING | | | | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. | | | | |
| *Volume: | 180.00 AC-FT | | | | |
| | THE VOLUME OF THIS CLAIM HAS BEEN REDUCED TO THE 2.0 ACRE-FEET PER ACRE GUIDELINE FOR WATER SPREADING. THE VOLUME MAY BE CONTESTED BY PROPER OBJECTION. | | | | |
| Climatic Area | 2 - MODERATELY HIGH | | | | |
| Maximum Acres: | 90.00 | | | | |
| *Source Name: | MUD SPRINGS CREEK | | | | |
| Source Type: | SURFACE WATER | | | | |
| *Point of Diversion and N | Means of Diversion: | | | | |
| $\frac{\text{ID}}{1}$ Govt 1 | Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> NENWSW 20 8S 45E POWDER RIVER | | | | |
| Diversion Means: | DIVERSION DAM | | | | |
| *Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | |

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*Place of Use:

| <u>ID</u> | Acres Govt Lot | Qtr Sec | <u>Sec</u> | Twp | <u>Rge</u> <u>County</u> |
|-----------|----------------|---------|------------|-----|---------------------------------|
| 1 | 20.00 | S2SW | 16 | 8S | 45E POWDER RIVER |
| 2 | 15.00 | NENE | 20 | 8S | 45E POWDER RIVER |
| 3 | 25.00 | SWNE | 20 | 8S | 45E POWDER RIVER |
| 4 | 5.00 | SENE | 20 | 8S | 45E POWDER RIVER |
| 5 | 15.00 | SENW | 20 | 8S | 45E POWDER RIVER |
| 6 | 5.00 | NWNESW | 20 | 8S | 45E POWDER RIVER |
| 7 | 5.00 | NWNWNW | 21 | 8S | 45E POWDER RIVER |
| Total: | 90.00 | | | | |

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/25/2007: PLACE OF USE, MAXIMUM ACRES, PRIORITY DATE.

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

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

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

PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 188130-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | |
|------------------------------------|---|--|--|--|--|
| Owners: | SUZANNE S TRUSLER PO BOX 155 ASHLAND, MT 59004 | | | | |
| | TOM W TRUSLER PO BOX 155 ASHLAND, MT 59004 | | | | |
| *Priority Date: | MAY 31, 1962 | | | | |
| 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. | | | | |
| *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 MARVELL CREEK | | | | |
| Source Type: | SURFACE WATER | | | | |
| *Point of Diversion and | Means of Diversion: | | | | |
| <u>ID</u> <u>Govt</u> | | | | | |
| Diversion Means: | SWNENE 34 2S 47E POWDER RIVER LIVESTOCK DIRECT FROM SOURCE | | | | |
| Diversion Means: Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | |
| rerioa of Use: | JANUART I 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 | | SWNENE | 34 | 2S | 47E POWDER RIVER |
| | | | | | |

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: | 42C 188145-00 STATEMENT OF CLAIM | | | | |
|--|---|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | |
| | Status: ACTIVE | | | | |
| Owners: | FAYE DENSON HC 71 BOX 1141 ASHLAND, MT 59003 | | | | |
| | ROSS R DENSON HC 71 BOX 1141 ASHLAND, MT 59003 | | | | |
| Priority Date: | APRIL 20, 1898 | | | | |
| Type of Historical Right | : FILED | | | | |
| Purpose(use): | IRRIGATION | | | | |
| Irrigation Type: | WATER SPREADING | | | | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. | | | | |
| Volume: | 239.60 AC-FT | | | | |
| Climatic Area: 2 - MODERATELY HIGH | | | | | |
| Maximum Acres: | 119.80 | | | | |
| Source Name: | TENMILE 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 County</u> NWNWNE 2 5S 45E POWDER RIVER | | | | |
| Diversion Means: | | | | | |
| *Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | |

FEBRUARY 28, 2008 42C 188145-00

Page 2 of 2

*Place of Use:

| ID | <u>Acres</u> Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | Rge County |
|--------|-----------------------|----------------|------------|-----|------------------|
| 1 | 15.00 | NW | 2 | 5S | 45E POWDER RIVER |
| 2 | 8.00 | NE | 3 | 5S | 45E POWDER RIVER |
| 3 | 40.00 | SW | 35 | 4S | 45E POWDER RIVER |
| 4 | 56.80 | SE | 34 | 4S | 45E POWDER RIVER |
| Total: | 119.80 | | | | |

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.

167362-00 188145-00

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF 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: | 42C 188176-00 STATEMENT OF CLAIM | | | |
|---|---|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | |
| | Status: ACTIVE | | | |
| Owners: | WILLIAM D ZIER PO BOX 257 BROADUS, MT 59317 | | | |
| *Priority Date: | SEPTEMBER 15, 1944 | | | |
| 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 PUMPKIN CREEK | | | |
| Source Type: | SURFACE WATER | | | |
| *Point of Diversion and Means of Diversion: | | | | |

| ID | <u>Govt I</u> | Lot | <u>Qtr Sec</u> | Sec | Twp | Rge | County |
|-------|---------------|-----|----------------|-----|-----|-----|---------------|
| 1 | | 6 | SENE | 25 | 4S | 47E | POWDER RIVER |
| Diver | sion Means: | DAM | | | | | |

FEBRUARY 28, 2008 42C 188176-00 Page 2 of 2

| *Reservoir: | ONSTRE | AM |
|-------------|-------------------|---|
| | <u>Govt l</u> | ot Qtr Sec Sec Twp Rge County 6 SENE 25 4S 47E POWDER RIVER |
| Dar Dep | n Height: oth: | 15.00 FEET 12.00 FEET |
| Sur | face Area: | 4.00 ACRES |
| Cap | oacity: | 19.20 ACRE-FEET |
| | | THE SURFACE AREA, DEPTH AND CAPACITY HAVE BEEN ESTIMATED BY DNRC. |
| Period of U | J se: | JANUARY 1 TO DECEMBER 31 |
| Place of Us | se: | |
| ID | Acres Govt 1 | ot <u>Qtr Sec Sec Twp Rge</u> <u>County</u> |
| 1 | | 6 SENE 25 4S 47E POWDER RIVER |
| Remarks: | | |

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

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

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

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

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 188177-00 STATEMENT OF CLAIM | | | |
|------------------------------|---|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | |
| | Status: ACTIVE | | | |
| Owners: | WILLIAM D ZIER PO BOX 257 BROADUS, MT 59317 | | | |
| *Priority Date: | AUGUST 22, 1946 | | | |
| 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 PUMPKIN CREEK | | | |
| Source Type: | SURFACE WATER | | | |
| Point of Diversion and | Means of Diversion: | | | |
| $\frac{\mathbf{ID}}{1}$ Govt | LotQtr SecSecTwpRgeCountySESESE314S48EPOWDER RIVER | | | |

Diversion Means: DAM

FEBRUARY 28, 2008 42C 188177-00 Page 2 of 2

| *Reservoir: | ONSTRE | AM | | | | |
|--------------|----------------------------|------------------------|-----------------------------------|-----------|-------------------|-------------------------------|
| | <u>Govt I</u> | Lot Qtr SES | r <u>Sec</u> <u>Sec</u> ESE 31 | Twp 4S | <u>Rge</u> 48E | <u>County</u> POWDER RIVER |
| Dept | Height: h: ace Area: | 13.00 10.00 0.39 | | | | |
| Capa | acity: | 1.56 | ACRE-FEE | т | | |
| | | THE SURFACI DNRC. | E AREA, DE | PTH AN | D CAF | PACITY HAVE BEEN ESTIMATED BY |
| Period of U | se: | JANUARY 1 T | O DECEMBE | ER 31 | | |
| Place of Use | e: | | | | | |
| <u>ID</u> | <u>Acres</u> <u>Govt I</u> | Lot Qti | <u>r Sec</u> <u>Sec</u> | Twp | Rge | County |
| 1 | | SES | ESE 31 | 4S | 48E | POWDER RIVER |
| | | | | | | |

Remarks:

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

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

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

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

PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C 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: | 42C 188422-00 STATEMENT OF CLAIM | | |
|--|---|--|--|
| | Version: 1 ORIGINAL RIGHT | | |
| | Status: ACTIVE | | |
| Owners: | DAVID K STINSON 137 WHEELEY SPRINGS RD LAFAYETTE, TN 37083 | | |
| *Priority Date: | DECEMBER 10, 1943 | | |
| *Type of Historical Right | t: FILED | | |
| Purpose(use): | STOCK | | |
| Flow Rate: | 6.00 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 | | |
| | ALSO KNOWN AS UNNAMED NO. 1 | | |
| *Point of Diversion and I | Means of Diversion: | | |
| ID Govt] 1 Diversion Means: | NWNENE 16 2S 47E POWDER RIVER | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | |
| | SANOART TO DECEMBER ST | | |
| Place of Use: | | | |
| <u>ID</u> <u>Acres</u> <u>Govt I</u> | | | |
| 1 2 | NWNENE 16 2S 47E POWDER RIVER | | |
| THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT. | | | |

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 189321-00 STATEMENT OF CLAIM | | | | |
|---|---|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | |
| | Status: ACTIVE | | | | |
| Owners: | MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS PO BOX 200701 HELENA, MT 59620 0701 | | | | |
| Priority Date: | JULY 1, 1957 | | | | |
| *Type of Historical Righ | t: USE | | | | |
| *Purpose(use): | MULTIPLE DOMESTIC | | | | |
| Flow Rate: | 100.00 GPM | | | | |
| Volume: | 6.00 AC-FT | | | | |
| Households: | 2 | | | | |
| Maximum Acres: | 2.00 | | | | |
| Source Name: | GROUNDWATER | | | | |
| Source Type: | GROUNDWATER | | | | |
| Point of Diversion and | Means of Diversion: | | | | |
| <u>ID</u> <u>Govt</u> | | | | | |
| Diversion Means: | NWNWNW 9 7N 47E CUSTER | | | | |
| Period of Use: | JANUARY 1 TO DECEMBER 31 | | | | |
| | | | | | |
| Place of Use: | lat Otr Sag Sag Two Bag County | | | | |
| $\frac{ID}{1} \qquad \frac{Acres}{2.00} \frac{Govt}{1}$ | Lot <u>Qtr Sec Sec Twp</u> <u>Rge</u> <u>County</u> NWNWNW 9 7N 47E CUSTER | | | | |
| | NUNUUU 9 /IN 4/L COSTER | | | | |
| Total: 2.00 | | | | | |

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42C 189321-00

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.

183101-00 189321-00

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

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF 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: | 42C 189910-00 STATEMENT OF CLAIM | | | |
|--|---|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | |
| | Status: ACTIVE | | | |
| Owners: | NORTHERN CHEYENNE TRIBE | | | |
| | PO BOX 128 LAME DEER, MT 59043 | | | |
| Priority Date: | JULY 19, 1907 | | | |
| Type of Historical Right | :FILED | | | |
| Purpose(use): | IRRIGATION | | | |
| Irrigation Type: | WATER SPREADING | | | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. | | | |
| *Volume: | 1,280.00 AC-FT | | | |
| | THE VOLUME OF THIS CLAIM HAS BEEN REDUCED TO THE 2.0 ACRE-FEET PER ACRE GUIDELINE FOR WATER SPREADING. THE VOLUME MAY BE CONTESTED BY PROPER OBJECTION. | | | |
| Climatic Area | 2 - MODERATELY HIGH | | | |
| Maximum Acres: | 640.00 | | | |
| Source Name: | COOK 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 County</u> 22 5S 41E ROSEBUD | | | |
| Diversion Means: | DIKE | | | |
| Period of Use: | MARCH 1 TO AUGUST 1 | | | |

FEBRUARY 28, 2008 42C 189910-00

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Place of Use:

| <u>ID</u> | Acres Govt Lot | <u>Qtr Sec</u> | Sec | Twp | Rge County |
|-----------|----------------|----------------|-----|-----|-------------|
| 1 | 320.00 | N2 | 27 | 5S | 42E ROSEBUD |
| 2 | 320.00 | S2 | 22 | 5S | 42E ROSEBUD |
| Total: | 640.00 | | | | |

Remarks:

ş....

THE FOLLOWING ISSUES 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.

IT APPEARS THIS WATER RIGHT MAY NOT HAVE BEEN PERFECTED. ACCORDING TO INFORMATION IN THE CLAIM FILE, THERE APPEARS TO BE NO APPROPRIATION OF WATER. ALL ELEMENTS OF THIS CLAIM MAY BE QUESTIONABLE. 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.

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: | 42C 189911-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE |
|--------------------------------------|--|
| Owners: | NORTHERN CHEYENNE TRIBE PO BOX 128 LAME DEER, MT 59043 |
| Priority Date: | DECEMBER 31, 1960 |
| Type of Historical Right | :FILED |
| Purpose(use): | IRRIGATION |
| Irrigation Type: | FLOOD |
| Flow Rate: | 300.00 GPM |
| *Volume: | THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. |
| Climatic Area: | 2 - MODERATELY HIGH |
| Maximum Acres: | 100.00 |
| Source Name: | GROUNDWATER |
| Source Type: | GROUNDWATER |
| Point of Diversion and N | Aeans of Diversion: |
| ID 1 Govt I | NWSENW 21 5S 42E ROSEBUD |
| Diversion Means: | |
| Period of Use: | APRIL 1 TO OCTOBER 1 |
| Place of Use: | |
| <u>ID</u> <u>Acres</u> <u>Govt I</u> | |
| 1 100.00 Total: 100.00 | N2 21 5S 42E ROSEBUD |
| 10tal. 100.00 | |

Page 2 of 2

Remarks:

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE NORTHERN CHEYENNE INDIAN RESERVATION.

THE FOLLOWING 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). 178-145 , DATED 1979 , APPEARS TO INDICATE 21 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 189912-00 ST | ATEMENT O | F CLAIM | |
|------------------------------------|--|----------------|---|--|
| | Version: 1 ORIG | INAL RIGHT | | |
| | Status: | ACTIVE | | |
| Owners: | NORTHERN CHEYEN PO BOX 128 LAME DEER, MT 590 | | | |
| Priority Date: | MAY 10, 1913 | | | |
| Type of Historical Right | FILED | | | |
| Purpose(use): | IRRIGATION | | | |
| Irrigation Type: | WATER SPREADING | ì | | |
| *Flow Rate: | A SPECIFIC FLOW R CONSISTS OF DIREC | | DT BEEN DECREED BECAUSE THIS USE ATER SPREADING. | |
| *Volume: | 80.00 AC-FT | | | |
| | | NE FOR WAT | S BEEN REDUCED TO THE 2.0 ACRE-FEET TER SPREADING. THE VOLUME MAY BE CTION. | |
| Climatic Areas | 2 - MODERATELY HIG | GH | | |
| Maximum Acres: | 40.00 | | | |
| Source Name: | COOK CREEK | | | |
| Source Type: | SURFACE WAT | ER | | |
| Point of Diversion and M | Point of Diversion and Means of Diversion: | | | |
| <u>ID</u> <u>Govt I</u> | | Sec <u>Twp</u> | Rge County | |
| 1 D' ' M | DIKE | 20 5S | 42E ROSEBUD | |
| Diversion Means: Period of Use: | MARCH 1 TO AUGUS | ST 1 | | |
| | | 1 1 | | |
| Place of Use: | | | | |
| <u>ID</u> <u>Acres Govt I</u> | | Sec Twp | Rge County | |
| 1 40.00 | NESE | 20 5S | 42E ROSEBUD | |

Page 2 of 2

Place of Use:

| ID | Acres Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | Rge | <u>County</u> |
|--------|----------------|----------------|------------|-----|-----|---------------|
| Total: | 40.00 | | | | | |

Remarks:

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THE CLAIMED PLACE OF USE DOES NOT APPEAR TO BE IRRIGATED BY WATER FROM THE CLAIMED SOURCE.

IT APPEARS POINT OF DIVERSION NO. 1 MAY BE INCORRECT. THE EXISTENCE OF A DIVERSION FACILITY AND CONVEYANCE DITCH CANNOT BE CONFIRMED FROM AVAILABLE DATA.

IT APPEARS THIS WATER RIGHT MAY NOT HAVE BEEN PERFECTED. ACCORDING TO INFORMATION IN THE CLAIM FILE, THERE APPEARS TO BE NO APPROPRIATION OF WATER. ALL ELEMENTS OF THIS CLAIM MAY BE QUESTIONABLE. 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

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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: | 42C 189913-00 STATEMENT OF CLAIM | | |
|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | |
| | Status: ACTIVE | | |
| Owners: | NORTHERN CHEYENNE INDIAN RESERVATION 316 N 26TH ST BILLINGS, MT 59101 | | |
| | USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF) 316 N 26TH ST BILLINGS, MT 59101 | | |
| Priority Date: | MARCH 1, 1907 | | |
| Type of Historical Right | :USE | | |
| Purpose(use): | IRRIGATION | | |
| Irrigation Type: | SPRINKLER | | |
| Flow Rate: | 1.34 CFS | | |
| *Volume: | THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. | | |
| Climatic Area | 2 - MODERATELY HIGH | | |
| Maximum Acres: | 130.00 | | |
| Source Name: | TONGUE RIVER | | |
| Source Type: | SURFACE WATER | | |
| Point of Diversion and Means of Diversion: | | | |
| \underline{ID} <u>Govt I</u> | Lot <u>Qtr Sec Sec Twp Rge County</u> 10 2S 44E ROSEBUD | | |
| Diversion Means: | | | |
| Period of Use: | APRIL 1 TO OCTOBER 31 | | |

Page 2 of 2

Place of Use:

| <u>ID</u> | Acres Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | <u>Rge</u> <u>County</u> |
|-----------|----------------|----------------|------------|-----|--------------------------|
| 1 | | | 10 | 2S | 44E ROSEBUD |
| 2 | | | 15 | 2S | 44E ROSEBUD |
| 3 | | | 16 | 2S | 44E ROSEBUD |

Remarks:

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE CHEYENNE INDIAN RESERVATION.

THE FOLLOWING ISSUES 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.

IT APPEARS THIS WATER RIGHT MAY NOT HAVE BEEN PERFECTED. ACCORDING TO INFORMATION IN THE CLAIM FILE, THERE APPEARS TO BE NO APPROPRIATION OF WATER. ALL ELEMENTS OF THIS CLAIM MAY BE QUESTIONABLE. 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

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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: | 42C 189914-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE | | | | |
|--------------------------|---|--|--|--|--|
| Owners: | NORTHERN CHEYENNE INDIAN RESERVATION 316 N 26TH ST BILLINGS, MT 59101 | | | | |
| | USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF) 316 N 26TH ST BILLINGS, MT 59101 | | | | |
| Priority Date: | MARCH 1, 1907 | | | | |
| Type of Historical Right | :USE | | | | |
| Purpose(use): | IRRIGATION | | | | |
| Irrigation Type: | FLOOD | | | | |
| *Flow Rate: | 45.45 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 | 2 - MODERATELY HIGH | | | | |
| Maximum Acres: | 1,200.00 | | | | |
| Source Name: | TONGUE RIVER | | | | |
| Source Type: | SURFACE WATER | | | | |
| 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> NW 25 5S 42E ROSEBUD | | | | |
| Diversion Means: | HEADGATE | | | | |
| Period of Use: | APRIL 1 TO OCTOBER 31 | | | | |

Page 2 of 2

| ID | Acres Govt Lot | <u>Qtr Sec</u> | Sec <u>Twp</u> | <u>Rge</u> <u>County</u> |
|----|----------------|----------------|----------------|--------------------------|
| 1 | | | 2S | 44E ROSEBUD |
| 2 | | | 3S | 44E ROSEBUD |
| 3 | | | 4S | 43E ROSEBUD |
| 4 | | | 5S | 42E ROSEBUD |
| 5 | | | 4S | 44E ROSEBUD |
| 6 | | | 5S | 43E ROSEBUD |

Remarks:

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE CHEYENNE INDIAN RESERVATION.

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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: | 42C 189915-00 STATEMENT OF CLAIM | | | |
|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | |
| | Status: ACTIVE | | | |
| Owners: | NORTHERN CHEYENNE INDIAN RESERVATION 316 N 26TH ST BILLINGS, MT 59101 | | | |
| | USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF) 316 N 26TH ST BILLINGS, MT 59101 | | | |
| Priority Date: | MARCH 1, 1907 | | | |
| Type of Historical Right | :USE | | | |
| Purpose(use): | IRRIGATION | | | |
| Irrigation Type: | SPRINKLER | | | |
| 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 Areas | : 2 - MODERATELY HIGH | | | |
| Maximum Acres: | 743.00 | | | |
| Source Name: | TONGUE RIVER | | | |
| Source Type: | SURFACE WATER | | | |
| Point of Diversion and Means of Diversion: | | | | |
| \underline{ID}_{1} <u>Govt I</u> | Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> 13 4S 43E ROSEBUD | | | |
| Diversion Means: | | | | |
| 2 | 9 5S 43E ROSEBUD | | | |
| Diversion Means: | PUMP | | | |
| Period of Use: | APRIL 1 TO OCTOBER 31 | | | |

Page 2 of 2

Place of Use:

| <u>ID</u> | Acres Govt Lot | <u>Qtr Sec</u> <u>Sec</u> | Twp | Rge County |
|-----------|----------------|---------------------------|-----|-------------|
| 1 | | 13 | 4S | 43E ROSEBUD |
| 2 | | 18 | 4S | 43E ROSEBUD |
| 3 | | 23 | 4S | 43E ROSEBUD |
| 4 | | 24 | 4S | 43E ROSEBUD |
| 5 | | 8 | 5S | 43E ROSEBUD |
| 6 | | g | 5S | 43E ROSEBUD |

Remarks:

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE CHEYENNE INDIAN RESERVATION.

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PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **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: | 42C 189916-00 STATEMENT OF CLAIM | | |
|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | |
| | Status: ACTIVE | | |
| Owners: | NORTHERN CHEYENNE INDIAN RESERVATION 316 N 26TH ST BILLINGS, MT 59101 | | |
| | USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF) 316 N 26TH ST BILLINGS, MT 59101 | | |
| Priority Date: | MARCH 1, 1907 | | |
| Type of Historical Right | :USE | | |
| Purpose(use): | IRRIGATION | | |
| Irrigation Type: | SPRINKLER | | |
| Flow Rate: | 1.11 CFS | | |
| *Volume: | THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. | | |
| Climatic Area | 2 - MODERATELY HIGH | | |
| Maximum Acres: | 85.00 | | |
| Source Name: | TONGUE RIVER | | |
| Source Type: | SURFACE WATER | | |
| Point of Diversion and Means of Diversion: | | | |
| $\frac{\text{ID}}{1}$ Govt I | Lot <u>Qtr Sec Sec Twp Rge County</u> 34 4S 43E ROSEBUD | | |
| Diversion Means: | | | |
| Period of Use: | APRIL 1 TO OCTOBER 31 | | |

42C 189916-00

Page 2 of 2

Place of Use:

| ID | Acres Govt Lot | <u>Qtr Sec</u> | Sec | Twp | <u>Rge</u> <u>County</u> |
|----|----------------|----------------|-----|-----|--------------------------|
| 1 | | | 34 | 4S | 43E ROSEBUD |
| 2 | | | 27 | 4S | 43E ROSEBUD |

Remarks:

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE CHEYENNE INDIAN RESERVATION.

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PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

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| Water Right Number: | 42C 189917-00 STATEMENT OF CLAIM | | |
|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | |
| | Status: ACTIVE | | |
| Owners: | NORTHERN CHEYENNE INDIAN RESERVATION 316 N 26TH ST BILLINGS, MT 59101 | | |
| | USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF) 316 N 26TH ST BILLINGS, MT 59101 | | |
| Priority Date: | MARCH 1, 1907 | | |
| Type of Historical Right | :: USE | | |
| Purpose(use): | IRRIGATION | | |
| Irrigation Type: | | | |
| Flow Rate: | 1.11 CFS | | |
| *Volume: | THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. | | |
| Climatic Area | : 2 - MODERATELY HIGH | | |
| Maximum Acres: | 113.00 | | |
| Source Name: | TONGUE RIVER | | |
| Source Type: | SURFACE WATER | | |
| Point of Diversion and Means of Diversion: | | | |
| $\frac{\text{ID}}{1}$ Govt | Lot <u>Qtr Sec Sec Twp Rge County</u> 27 2S 44E ROSEBUD | | |
| Diversion Means: | | | |
| Period of Use: | APRIL 1 TO OCTOBER 31 | | |

42C 189917-00

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 | | | 34 | 2S | 44E ROSEBUD |
| 2 | | | 27 | 2S | 44E ROSEBUD |

Remarks:

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE CHEYENNE INDIAN RESERVATION.

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PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **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: | 42C 189918-00 STATEMENT OF CLAIM | | |
|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | |
| | Status: ACTIVE | | |
| Owners: | NORTHERN CHEYENNE INDIAN RESERVATION 316 N 26TH ST BILLINGS, MT 59101 | | |
| | USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF) 316 N 26TH ST BILLINGS, MT 59101 | | |
| Priority Date: | MARCH 1, 1907 | | |
| Type of Historical Right | :USE | | |
| Purpose(use): | IRRIGATION | | |
| Irrigation Type: | SPRINKLER | | |
| Flow Rate: | 1.11 CFS | | |
| *Volume: | THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. | | |
| Climatic Area | 2 - MODERATELY HIGH | | |
| Maximum Acres: | 112.00 | | |
| Source Name: | TONGUE RIVER | | |
| Source Type: | SURFACE WATER | | |
| Point of Diversion and Means of Diversion: | | | |
| \underline{ID}_{1} <u>Govt I</u> | Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> 28 3S 44E ROSEBUD | | |
| Diversion Means: | | | |
| Period of Use: | APRIL 1 TO OCTOBER 31 | | |

42C 189918-00

Page 2 of 2

Place of Use:

| <u>ID</u> | Acres Govt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | Rge County |
|-----------|----------------|----------------|------------|-----|-------------|
| 1 | | | 21 | 3S | 44E ROSEBUD |
| 2 | | | 28 | 3S | 44E ROSEBUD |

Remarks:

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE CHEYENNE INDIAN RESERVATION.

THE FOLLOWING ISSUES 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.

IT APPEARS THIS WATER RIGHT MAY NOT HAVE BEEN PERFECTED. ACCORDING TO INFORMATION IN THE CLAIM FILE, THERE APPEARS TO BE NO APPROPRIATION OF WATER. ALL ELEMENTS OF THIS CLAIM MAY BE QUESTIONABLE. 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."

PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 189919-00 STATEMENT OF CLAIM | | |
|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | |
| | Status: ACTIVE | | |
| Owners: | NORTHERN CHEYENNE INDIAN RESERVATION 316 N 26TH ST BILLINGS, MT 59101 | | |
| | USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF) 316 N 26TH ST BILLINGS, MT 59101 | | |
| Priority Date: | MARCH 1, 1907 | | |
| Type of Historical Right | :: USE | | |
| Purpose(use): | IRRIGATION | | |
| Irrigation Type: | SPRINKLER | | |
| Flow Rate: | 1.11 CFS | | |
| *Volume: | THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. | | |
| Climatic Area | : 2 - MODERATELY HIGH | | |
| Maximum Acres: | 110.00 | | |
| Source Name: | TONGUE RIVER | | |
| Source Type: | SURFACE WATER | | |
| Point of Diversion and Means of Diversion: | | | |
| $\frac{\text{ID}}{1}$ Govt | Lot <u>Qtr Sec Sec Twp Rge</u> County 28 3S 43E ROSEBUD | | |
| Diversion Means: | | | |
| Period of Use: | APRIL 1 TO OCTOBER 31 | | |

42C 189919-00

Page 2 of 2

Place of Use:

| <u>ID</u> | Acres Govt Lot | <u>Qtr Sec</u> | Sec | Twp | Rge County |
|-----------|----------------|----------------|-----|-----|-------------|
| 1 | | | 28 | 3S | 43E ROSEBUD |
| 2 | | | 21 | 3S | 43E ROSEBUD |

Remarks:

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE CHEYENNE INDIAN RESERVATION.

THE FOLLOWING ISSUES 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.

IT APPEARS THIS WATER RIGHT MAY NOT HAVE BEEN PERFECTED. ACCORDING TO INFORMATION IN THE CLAIM FILE, THERE APPEARS TO BE NO APPROPRIATION OF WATER. ALL ELEMENTS OF THIS CLAIM MAY BE QUESTIONABLE. 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."

PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 196169-00 STATEMENT OF CLAIM | | |
|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | |
| | Status: ACTIVE | | |
| Owners: | NORTHERN CHEYENNE INDIAN RESERVATION 316 N 26TH ST BILLINGS, MT 59101 | | |
| | USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF) 316 N 26TH ST BILLINGS, MT 59101 | | |
| Priority Date: | MARCH 1, 1907 | | |
| Type of Historical Right | :USE | | |
| Purpose(use): | IRRIGATION | | |
| Irrigation Type: | SPRINKLER | | |
| Flow Rate: | 1.11 CFS | | |
| *Volume: | THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. | | |
| Climatic Area | 2 - MODERATELY HIGH | | |
| Maximum Acres: | 114.00 | | |
| Source Name: | TONGUE RIVER | | |
| Source Type: | SURFACE WATER | | |
| Point of Diversion and Means of Diversion: | | | |
| \underline{ID}_{1} <u>Govt I</u> | Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> 15 3S 44E ROSEBUD | | |
| Diversion Means: | | | |
| Period of Use: | APRIL 1 TO OCTOBER 31 | | |

42C 196169-00

Page 2 of 2

Place of Use:

| <u>ID</u> | <u>Acres</u> Govt Lot | <u>Qtr Sec</u> | Sec | Twp | Rge County |
|-----------|-----------------------|----------------|-----|-----|-------------|
| 1 | | | 16 | 3S | 44E ROSEBUD |
| 2 | | | 15 | 3S | 44E ROSEBUD |

Remarks:

THIS WATER RIGHT IS LOCATED, IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE CHEYENNE INDIAN RESERVATION.

THE FOLLOWING ISSUES 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.

IT APPEARS THIS WATER RIGHT MAY NOT HAVE BEEN PERFECTED. ACCORDING TO INFORMATION IN THE CLAIM FILE, THERE APPEARS TO BE NO APPROPRIATION OF WATER. ALL ELEMENTS OF THIS CLAIM MAY BE QUESTIONABLE. 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."

PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C 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: | 42C 208791 | -00 S | TATEN | IENT OI | - CLA | AIM |
|---------------------------|---------------------------------------|------------------------|------------------|------------------|-------|--|
| | Version: | 1 ORIG | SINAL F | RIGHT | | |
| | | Status: | AC | TIVE | | |
| Owners: | JACQUELIN 40 N 15TH A WAITE PAR | VE | | | | |
| Priority Date: | JUNE 10, 19 | 10 | | | | |
| Type of Historical Right | :USE | | | | | |
| Purpose(use): | STOCK | | | | | |
| Flow Rate: | 2.00 GPM | | | | | |
| *Volume: | STOCK WA | TERING IT. ANIM | PURP AL UN | DSES A | T THE | OF WATER CONSUMPTIVELY USED FOR IE RATE OF 30 GALLONS PER DAY PER 3E BASED ON REASONABLE CARRYING THE AREA SERVICED BY THIS WATER |
| Source Name: | GROUNDW | ATER | | | | |
| Source Type: | GROU | NDWATE | ĒR | | | |
| *Point of Diversion and M | leans of Diver | sion: | | | | |
| <u>ID</u> <u>Govt I</u> | | <u>Qtr Sec</u> SWNE | <u>Sec</u> 20 | <u>Twp</u> 6N | | <u>County</u> CUSTER |
| Diversion Means: | _ | - | - | U.I. | 002 | |
| Period of Use: | JANUARY 1 | TO DEC | EMBE | R 31 | | |
| Place of Use: | | | | | | |
| ID <u>Acres</u> Govt I | <u>lot</u> | Qtr Sec | Sec | Twp | Rge | County |
| 1 | - | SWNE | 20 | 6N | | CUSTER |
| ISSUES TO REPOR | INATION O | F THIS (WATER | CLAIN COUI | 4 FOUI RT. | ND NO | IO SIGNIFICANT FACTS, DATA, OR |

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

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

Water Right Number:

PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C 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."

42C 210830-00 STATEMENT OF CLAIM

| water Right Number: | 420 210030-00 STATEMENT OF CEAIM | | | |
|-----------------------------------|-----------------------------------|---------------------------------|--|--|
| | Version: 1 ORIGINAL RIGHT | | | |
| | | Status: | ACTIVE | |
| | Late Claim | n: B | | |
| Owners: | BICE RAN HC 32 BO MILES CIT | | 1 | |
| | PO BOX 1 | LEIDHOLT 783 TY, MT 59307 | 1 | |
| | ILA M HEN PO BOX 5 HELENA, | 657 | | |
| | JOHN E H HC 32 BO MILES CIT | | 1 | |
| | WILBUR J PO BOX 5 HELENA, | | | |
| Priority Date: | DECEMBE | ER 29, 1900 | | |
| Enforceable Prio | ority Date: J | IUNE 30, 197 | 73 | |
| | THIS CLAI FEDERAL | IM IS SUBOF | 20/1984 . AS MANDATED BY SECTION 85-2-221(3), MCA, RDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS W. | |
| Type of Historical Right: DECREED | | | | |
| Purpose(use): | IRRIGATIO | N | | |
| Irrigation Type: | FLOOD | | | |
| Flow Rate: | 44.52 CFS | 5 | | |

FEBRUARY 28, 2008

42C 210830-00

Page 2 of 3

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

Climatic Area: 1 - HIGH

| Maximum Acres: | 1,797.00 |
|----------------|---------------|
| Source Name: | TONGUE RIVER |
| Source Type: | SURFACE WATER |

Point of Diversion and Means of Diversion:

| ID Govt 1 | Lot Qtr See | <u>e Sec</u> | Twp | Rge | County |
|-------------------------|-----------------|--------------|-----|-----|---------------|
| 1 | SWNWSW | / 16 | 2N | 45E | CUSTER |
| Diversion Means: | HEADGATE | | | | |
| Ditch Name: | SH DITCH | | | | |
| Period of Use: | APRIL 1 TO OCTO | DBER 31 | | | |

Place of Use:

| ID | Acres Go | ovt Lot | Qtr Sec | Sec | Twp | Rge County |
|--------|----------|---------|---------|-----|-----|------------|
| 1 | 13.00 | | NE | 1 | 2N | 45E CUSTER |
| 2 | 127.00 | | NW | 1 | 2N | 45E CUSTER |
| 3 | 90.00 | | SE | 1 | 2N | 45E CUSTER |
| 4 | 168.00 | | SW | 1 | 2N | 45E CUSTER |
| 5 | 27.00 | | NE | 2 | 2N | 45E CUSTER |
| 6 | 60.00 | | SE | 2 | 2N | 45E CUSTER |
| 7 | 35.00 | | N2NE | 10 | 2N | 45E CUSTER |
| 8 | 44.00 | | NE | 11 | 2N | 45E CUSTER |
| 9 | 27.00 | | NW | 11 | 2N | 45E CUSTER |
| 10 | 97.00 | | NW | 15 | 2N | 45E CUSTER |
| 11 | 25.00 | | NE | 25 | 3N | 45E CUSTER |
| 12 | 42.00 | | NE | 36 | ЗN | 45E CUSTER |
| 13 | 51.00 | | NW | 36 | ЗN | 45E CUSTER |
| 14 | 36.00 | | SE | 36 | ЗN | 45E CUSTER |
| 15 | 137.00 | | SW | 36 | 3N | 45E CUSTER |
| 16 | 31.00 | | SW | 16 | 3N | 46E CUSTER |
| 17 | 20.00 | | SE | 17 | ЗN | 46E CUSTER |
| 18 | 4.00 | | SW | 17 | 3N | 46E CUSTER |
| 19 | 4.00 | | SE | 18 | ЗN | 46E CUSTER |
| 20 | 62.00 | | NE | 19 | ЗN | 46E CUSTER |
| 21 | 56.00 | | SE | 19 | ЗN | 46E CUSTER |
| 22 | 63.00 | | NE | 20 | 3N | 46E CUSTER |
| 23 | 18.00 | | NW | 20 | 3N | 46E CUSTER |
| 24 | 67.00 | | NW | 20 | ЗN | 46E CUSTER |
| 25 | 64.00 | | SW | 20 | ЗN | 46E CUSTER |
| 26 | 17.00 | | SE | 25 | ЗN | 46E CUSTER |
| 27 | 30.00 | | NW | 29 | 3N | 46E CUSTER |
| 28 | 3.00 | | SW | 29 | 3N | 46E CUSTER |
| 29 | 129.00 | | NE | 30 | ЗN | 46E CUSTER |
| 30 | 12.00 | | NW | 30 | ЗN | 46E CUSTER |
| 31 | 112.00 | | NW | 30 | ЗN | 46E CUSTER |
| 32 | 66.00 | | SE | 30 | 3N | 46E CUSTER |
| 33 | 60.00 | | SW | 30 | ЗN | 46E CUSTER |
| Total: | 1,797.00 | | | | | |

Remarks:

Page 3 of 3

THE FOLLOWING 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.

CLAIM FILED LATE 06/20/1984 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

IT APPEARS AS THOUGH WILBUR AND ILA HENSLER HAVE SOLD THEIR PROPERTY ASSOCIATED WITH THIS RIGHT, AND SHOULD NOT BE INCLUDED IN IT.

THE CUSTER COUNTY WATER RESOURCES SURVEY (1948) APPEARS TO INDICATE 1387.7 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDA AERIAL PHOTOGRAPH NO(S). 278-109, 278-111, 278-121, 278-123 , DATED 09/15/1978 , APPEARS TO INDICATE 1420.42 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE CLAIMED PLACE OF USE COULD NOT BE AGREED UPON BY ALL 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: 42C 211008-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

Late Claim: B

Owners: LALONDE HOTEL INC PO BOX 1783 MILES CITY, MT 59301

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use):STOCKFlow Rate:Volume:Source Name:GROUNDWATERPoint 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 12/19/1984.

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: 42C 213507-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

Owners: JOSEPH J YAGER PO BOX 157 ASHLAND, MT 59003

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): STOCK

Flow Rate:

Volume:

Source Name: SPRING, UNNAMED TRIBUTARY OF TENMILE CREEK

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 06/20/1980.

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: 42C 213508-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

Owners: JOSEPH J YAGER PO BOX 157 ASHLAND, MT 59003

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): STOCK

Flow Rate:

Volume:

Source Name: GROUNDWATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 6/20/1980.

_

PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C 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: | 42C 213509-00 STATEMENT OF CLAIM | | | | |
|--|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | |
| | Status: WITHDRAWN | | | | |
| Owners: | USA (DEPT OF AGRICULTURE RESEARCH SERVICE) ARS-LIVESTOCK & RESEARCH ST RT 1 BOX 2021 MILES CITY, MT 59301 | | | | |
| Priority Date: | | | | | |
| Enforceable Priority Date: | | | | | |
| Type of Historical Righ | t: | | | | |
| Purpose (use): | STOCK | | | | |
| Flow Rate: | | | | | |
| Volume: | | | | | |
| Source Name: | GROUNDWATER | | | | |
| Point of Diversion and Means of Diversion: | | | | | |
| Period of Use: | | | | | |
| | | | | | |

....

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 07/06/1982.

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: | 42C 213510-00 STATEMENT OF CLAIM | | | |
|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | |
| | Status: WITHDRAWN | | | |
| Owners: | USA (DEPT OF AGRICULTURE RESEARCH SERVICE) ARS-LIVESTOCK & RESEARCH ST RT 1 BOX 2021 MILES CITY, MT 59301 | | | |
| Priority Date: | | | | |
| Enforceable Price | ority Date: | | | |
| Type of Historical Right | : | | | |
| Purpose (use): | STOCK | | | |
| Flow Rate: | | | | |
| Volume: | | | | |
| Source Name: | UNNAMED TRIBUTARY OF TONGUE RIVER | | | |
| Point of Diversion and Means of Diversion: | | | | |
| Period of Use: | | | | |
| Place of Use: | | | | |

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 07/06/1982.

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: | 42C 213511-00 STATEMENT OF CLAIM |
|--------------------------|--|
| | Version: 1 ORIGINAL RIGHT |
| | Status: WITHDRAWN |
| Owners: | USA (DEPT OF AGRICULTURE RESEARCH SERVICE) ARS-LIVESTOCK & RESEARCH ST RT 1 BOX 2021 MILES CITY, MT 59301 |
| Priority Date: | |
| Enforceable Price | ority Date: |
| Type of Historical Right | : |
| Purpose (use): | STOCK |
| Flow Rate: | |
| Volume: | |
| Source Name: | UNNAMED TRIBUTARY OF PADDY FAY CREEK |
| Point of Diversion and N | 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 07/06/1982.

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: | 42C 213512-00 STATEMENT OF CLAIM |
|--------------------------|--|
| | Version: 1 ORIGINAL RIGHT |
| | Status: WITHDRAWN |
| Owners: | USA (DEPT OF AGRICULTURE RESEARCH SERVICE) ARS-LIVESTOCK & RESEARCH ST RT 1 BOX 2021 MILES CITY, MT 59301 |
| Priority Date: | |
| Enforceable Pri | ority Date: |
| Type of Historical Righ | t: |
| Purpose (use): | STOCK |
| Flow Rate: | |
| Volume: | |
| Source Name: | PADDY FAY CREEK |
| Point of Diversion and I | 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 07/06/1982.

_

PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C 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: | 42C 213513-00 STATEMENT OF CLAIM | | | |
|--|--|--|--|--|
| | Version: 1 ORIGINAL RIGHT | | | |
| | Status: WITHDRAWN | | | |
| Owners: | USA (DEPT OF AGRICULTURE RESEARCH SERVICE) ARS-LIVESTOCK & RESEARCH ST RT 1 BOX 2021 MILES CITY, MT 59301 | | | |
| Priority Date: | | | | |
| Enforceable Pri | ority Date: | | | |
| Type of Historical Righ | :: | | | |
| Purpose (use): | STOCK | | | |
| Flow Rate: | | | | |
| Volume: | | | | |
| Source Name: | GROUNDWATER | | | |
| Point of Diversion and Means of Diversion: | | | | |
| Period of Use: | | | | |

....

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 07/06/1982.

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: | 42C 213514-00 STATEMENT OF CLAIM | | | | |
|--------------------------|----------------------------------|--|-----------------|--|--|
| | Version: | 1 ORIGINAL RIGHT Status: WITHDRAWN | | | |
| Owners: | PO BOX 1 | RIANGLE RANCHES INC BOX 1517 LES CITY, MT 59301 1517 | | | |
| Priority Date: | | | | | |
| Enforceable Price | ority Date: | | | | |
| Type of Historical Right | : | | | | |
| Purpose (use): | IRRIGATION | | | | |
| Flow Rate: | | | | | |
| Volume: | | | | | |
| Source Name: | UNNAMED | TRIBUTA | RY OF DRY CREEK | | |
| Point of Diversion and N | Aeans of Div | ersion: | | | |
| Period of Use: | | | | | |
| Place of Use: | 'lace of Use: | | | | |

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 01/05/1983.

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: 42C 213515-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

Owners:

JAE NOTTI HC 71 BOX 3 OTTER, MT 59062

SUZANNE NOTTI HC 71 BOX 3 OTTER, MT 59062

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): STOCK

Flow Rate:

Volume:

Source Name: GROUNDWATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 09/07/1982.

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: 42C 213516-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

Owners:

JAE NOTTI HC 71 BOX 3 OTTER, MT 59062

SUZANNE NOTTI HC 71 BOX 3 OTTER, MT 59062

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): DOMESTIC

Flow Rate:

Volume:

Source Name: GROUNDWATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 09/07/1982.

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: 42C 213517-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

Owners:

JAE NOTTI HC 71 BOX 3 OTTER, MT 59062

SUZANNE NOTTI HC 71 BOX 3 OTTER, MT 59062

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): STOCK

Flow Rate:

Volume:

Source Name: GROUNDWATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 09/07/1982.

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: | 42C 2135 | 18-00 | STA | TEMENT | OF CLA | MM |
|--------------------------|----------------------------------|---------|-------|---------|--------|----|
| | Version: | 1 OF | RIGIN | AL RIGH | IT | |
| | | Status | : | WITHD | RAWN | |
| Owners: | E T CATTI HCR 71 B ASHLAND | OX 1206 | 5 | | | |
| | JAE NOT HC 71 BO OTTER, M | Х З | 2 | | | |
| | SUZANNE HC 71 BO OTTER, M | X 3 | | | | |
| Priority Date: | | | | | | |
| Enforceable Prio | ority Date: | | | | | |
| Type of Historical Right | | | | | | |
| Purpose (use): | STOCK | | | | | |
| Flow Rate: | | | | | | |
| Volume: | | | | | | |
| Source Name: | GROUND | WATER | | | | |
| Point of Diversion and N | Means of Div | ersion: | | | | |
| Period of Use: | | | | | | |
| Place of Use: | | | | | | |
| Remarks: | | | | | | |

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 09/07/1982.

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: | 42C 2135 | 19-00 | STA | TEMEN | T OF CL | AIM. |
|--------------------------|---------------------------------|----------|-------|---------|---------|------|
| | Version: | 1 O | RIGIN | IAL RIG | HT | |
| | | Status | : | WITH | ORAWN | |
| Owners: | E T CATT HCR 71 B ASHLAND | OX 120 | 6 | | | |
| | JAE NOT HC 71 BO OTTER, M | X 3 | 2 | | | |
| | SUZANNE HC 71 BO OTTER, M | X 3 | - | | | |
| Priority Date: | | | | | | |
| Enforceable Price | ority Date: | | | | | |
| Type of Historical Right | t: | | | | | |
| Purpose (use): | DOMESTI | С | | | | |
| Flow Rate: | | | | | | |
| Volume: | | | | | | |
| Source Name: | GROUND | WATER | | | | |
| Point of Diversion and M | Means of Div | version: | | | | |
| Period of Use: | | | | | | |
| Place of Use: | | | | | | |

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 9/07/1982.

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: | 42C 21352 | 20-00 STA | TEMENT OF CLAIM | | |
|--------------------------|---------------------------|--|-------------------|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | |
| | | Status: | WITHDRAWN | | |
| Owners: | % DONALE HC 40 BOX | HSNER TRUST DONALD & GARY OCHSNER, TRUSTEES 40 BOX 6401 ES CITY, MT 59301 | | | |
| Priority Date: | | | | | |
| Enforceable Prio | rity Date: | | | | |
| Type of Historical Right | : | | | | |
| Purpose (use): | STOCK | | | | |
| Flow Rate: | | | | | |
| Volume: | | | | | |
| Source Name: | UNNAMED | TRIBUTAR | Y OF TONGUE RIVER | | |
| Point of Diversion and M | leans of Dive | ersion: | | | |
| Period of Use: | | | | | |
| Place of Use: | | | | | |

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 12/16/1982.

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: | 42C 21352 | 2 1-00 STA | TEMENT OF CLAIM | | |
|--------------------------|---------------------------|-------------------|-------------------|--|--|
| | Version: 1 ORIGINAL RIGHT | | | | |
| | | Status: | WITHDRAWN | | |
| Owners: | HC 40 BOX | 0 & GARY C | OCHSNER, TRUSTEES | | |
| Priority Date: | | | | | |
| Enforceable Prio | ority Date: | | | | |
| Type of Historical Right | : | | | | |
| Purpose (use): | STOCK | | | | |
| Flow Rate: | | | | | |
| Volume: | | | | | |
| Source Name: | UNNAMED | TRIBUTAF | RY OF LOG CREEK | | |
| Point of Diversion and N | leans of Dive | ersion: | | | |
| Period of Use: | | | | | |
| Place of Use: | | | | | |

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 12/16/1982.

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 213522-00 STATEMENT OF CLAIM |
|---------------------------|---|
| | Version: 1 ORIGINAL RIGHT |
| | Status: WITHDRAWN |
| Owners: | JAMES L MOFFITT TONGUE RIVER STAGE MILES CITY, MT 59301 |
| | PHYLLIS B MOFFITT TONGUE RIVER STAGE MILES CITY, MT 59301 |
| Priority Date: | |
| Enforceable Prio | rity Date: |
| Type of Historical Right: | : |
| Purpose (use): | STOCK |
| Flow Rate: | |
| Volume: | |
| Source Name: | UNNAMED TRIBUTARY OF NELSON CREEK |
| Point of Diversion and M | Ieans of Diversion: |
| Period of Use: | |
| Place of Use: | |

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 04/13/1982.

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: | 42C 2135 | 23-00 ST. | ATEMENT OF CLAIM |
|--------------------------|----------------------|---|------------------|
| | Version: | 1 ORIGI | NAL RIGHT |
| | | Status: | WITHDRAWN |
| Owners: | %CLYDE M HC 40 BO | ICFARLANI MCFARLAN X 6121 Ƴ, MT 5930 | D |
| Priority Date: | | | |
| Enforceable Price | ority Date: | | |
| Type of Historical Right | t : | | |
| Purpose (use): | STOCK | | |
| Flow Rate: | | | |
| Volume: | | | |
| Source Name: | GROUND | 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 12/07/1981.

GW CERTIFICATE 42C41913 FILED 12/07/1981 APPEARS TO HAVE BEEN FILED ON THE SAME WELL.

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: WITHDRAWN

| Owners: | LALONDE HOTEL INC |
|----------------|----------------------|
| | PO BOX 1783 |
| | MILES CITY, MT 59301 |

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): STOCK

Flow Rate:

Volume:

Source Name: GROUNDWATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 08/11/1981.

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: 42C 213525-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

Owners: LALONDE HOTEL INC PO BOX 1783 MILES CITY, MT 59301

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): STOCK

Flow Rate:

Volume:

Source Name: SPRING, UNNAMED TRIBUTARY OF COW 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 08/11/1981.

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: 42C 213526-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

Owners: LALONDE HOTEL INC PO BOX 1783 MILES CITY, MT 59301

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): STOCK

Flow Rate:

Volume:

Source Name: SPRING, UNNAMED TRIBUTARY OF RANCH 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 04/15/1982

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: 42C 213527-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

Owners: LALONDE HOTEL INC PO BOX 1783 MILES CITY, MT 59301

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): STOCK

Flow Rate:

Volume:

Source Name: SPRING, UNNAMED TRIBUTARY OF COW 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 08/11/1981

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: | 42C 213528-00 | STATEMENT OF CLAIM |
|---------------------|---------------|--------------------|
|---------------------|---------------|--------------------|

Version: 1 -- ORIGINAL RIGHT

Status: WITHDRAWN

Owners:

ELSIE M HAACK 673 HORSE CREEK RD #74 GILLETTE, WY 82716 8823

NANCY N COSSITT PO BOX 148 RANCHESTER, WY 82839

RITA C MUELLER 673 HORSE CREEK RD GILLETTE, WY 82716

STEVAN H MUELLER 673 HORSE CREEK RD GILLETTE, WY 82716

Priority Date:

Enforceable Priority Date:

Type of Historical Right:

Purpose (use): IRRIGATION

Flow Rate:

Volume:

Source Name: OTTER 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 09/03/1981.

42C 213528-00

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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.

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: | 42C 2135 | 30-00 | STATEMENT OF CLAIM |
|--------------------------|---|---------|--------------------|
| | Version: | 1 OR | GINAL RIGHT |
| | | Status: | WITHDRAWN |
| Owners: | A R BAST %JAMES (PO BOX V EDGEMON | CBASTIA | |
| Priority Date: | | | |
| Enforceable Price | ority Date: | | |
| Type of Historical Right | • | | |
| Purpose (use): | STOCK | | |
| Flow Rate: | | | |
| Volume: | | | |
| | | | |

Source Name: NONE

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 04/29/1982.

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND **CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE** AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 21353 | 31-00 | STA | TEMENT OF CLAIM | | |
|--------------------------|--|--|-------|-----------------|--|--|
| | Version: | 1 OR | RIGIN | AL RIGHT | | |
| | | Status: | : | WITHDRAWN | | |
| Owners: | DONALD W BARTHOLOMEW HC 32 BOX 4341 MILES CITY, MT 59301 | | | | | |
| | HC 32 BOX | S J BARTHOLOMEW DX 4341 TY, MT 59301 | | | | |
| Priority Date: | | | | | | |
| Enforceable Price | e Priority Date: | | | | | |
| Type of Historical Right | : | | | | | |
| Purpose (use): | STOCK | | | | | |

Flow Rate:

Volume:

GROUNDWATER 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 12/08/1981.

PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 213532-00 STATEMENT OF CLAIM Version: 1 ORIGINAL RIGHT Status: ACTIVE DONALD W BARTHOLOMEW HC 32 BOX 4341 MILES CITY, MT 59301 FRANCES J BARTHOLOMEW HC 32 BOX 4341 |
|---|---|
| | MILES CITY, MT 59301 |
| Priority Date: | MAY 5, 1960 |
| Type of Historical Right | t: USE |
| Purpose(use): | STOCK |
| Flow Rate: | 5.00 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 I | Means of Diversion: |
| IDGovt 11Diversion Means: | <u>Lot Qtr Sec Sec Twp Rge</u> <u>County</u> SWNWNW 29 1N 46E CUSTER WELL |
| Period of Use: | APRIL 1 TO OCTOBER 1 |
| Place of Use: <u>ID Acres</u> <u>Govt I</u> 1 | Lot <u>Qtr Sec Sec Twp Rge County</u> SWNWNW 29 1N 46E CUSTER |

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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."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF 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 TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **ABSTRACT OF WATER RIGHT CLAIM**

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA SUPREME COURT WATER RIGHT CLAIMS EXAMINATION RULES 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: | 42C 21353 | 33-00 S | TATEN | IENT O | F CLA | IM |
|----------------------------|------------------------------------|-------------------------|------------------|------------------|-------|--|
| | Version: | 1 ORI0 | GINAL | RIGHT | | |
| | | Status: | AC | TIVE | | |
| Owners: | DONALD V HC 32 BO> MILES CIT | X 4341 | | ΞW | | |
| | FRANCES HC 32 BO> MILES CIT | X 4341 | | EW | | |
| *Priority Date: | DECEMBE | R 31, 195 | 51 | | | |
| Type of Historical Right | t:USE | | | | | |
| Purpose(use): | STOCK | | | | | |
| Flow Rate: | 10.00 GPN | 1 | | | | |
| *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 "HE AREA SERVICED BY THIS WATER |
| Source Name: | GROUNDV | VATER | | | | |
| Source Type: | GRO | UNDWAT | ER | | | |
| Point of Diversion and I | Means of Dive | ersion: | | | | |
| $\frac{\text{ID}}{1}$ Govt | | <u>Qtr Sec</u> /NWSW | <u>Sec</u> 32 | <u>Тwp</u> 1N | | <u>County</u> CUSTER |
| Diversion Means: | WELL | /100/300 | 32 | | 40E | COSTER |
| Period of Use: | SEPTEMB | ER 1 TO I | MAY 1 | | | |
| Place of Use: | | | | | | |
| ID Acres Govt 1 | Lot | <u>Qtr Sec</u> | Sec | Twp | Rge | County |
| 1 | | /NWSW | 32 | 1N | | CUSTER |
| 2 | N | IENESE | 31 | 1N | 46E | CUSTER |

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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.

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PRELIMINARY DECREE TONGUE RIVER, BELOW HANGING WOMAN CREEK BASIN 42C **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: | 42C 2135 | 34-00 S 1 ORI | | _ | FCLAIM | |
|--|------------------------------------|-------------------------|-------------------|------------------|---|----------|
| | Version: | Status: | - | TIVE | | |
| Owners: | DONALD V HC 32 BO2 MILES CIT | X 4341 | | EW | | |
| | FRANCES HC 32 BO MILES CIT | X 4341 | | EW | | |
| *Priority Date: | DECEMBE | ER 31, 19 | 51 | | | |
| Type of Historical Right | t: FILED | | | | | |
| Purpose(use): | STOCK | | | | | |
| Flow Rate: | 8.00 GPM | | | | | |
| *Volume: | STOCK W ANIMAL U | ATERING NIT. ANIN | B PURP /IAL UN | OSES A | DUNT OF WATER CONSUMPTIVELY USED AT THE RATE OF 30 GALLONS PER DAY P ALL BE BASED ON REASONABLE CARRYI E OF THE AREA SERVICED BY THIS WATE | ER NG |
| Source Name: | GROUND | VATER | | | | |
| Source Type: | GRO | UNDWAT | ER | | | |
| *Point of Diversion and I | Means of Div | ersion: | | | | |
| $\frac{\mathbf{ID}}{1}$ Govt | 3 | <u>Qtr Sec</u> NENW | <u>Sec</u> 2 | <u>Тwp</u> 1S | Rge County 46E POWDER RIVER | |
| Diversion Means: Period of Use: | UNE 1 TO | D DECEM | BER 1 | | | |
| Place of Use: <u>ID</u> <u>Acres</u> <u>Govt I</u> 1 | Lot 3 | <u>Qtr Sec</u> NENW | <u>Sec</u> 2 | <u>Twp</u> 1S | Rge <u>County</u> 46E POWDER RIVER | |

Remarks:

THE FLOW RATE WAS AMENDED BY THE CLAIMANT ON 04/29/2004.

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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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: | 42C 2135 | 35-00 | STA | FEMENT OF CLAIN | | |
|--------------------------|--|--------|-------|-----------------|--|--|
| | Version: | 1 0 | RIGIN | AL RIGHT | | |
| | | Status | : | WITHDRAWN | | |
| Owners: | DONALD W BARTHOLOMEW HC 32 BOX 4341 MILES CITY, MT 59301 | | | | | |
| | FRANCES HC 32 BOX MILES CIT | X 4341 | | OMEW | | |
| Priority Date: | | | | | | |
| Enforceable Price | nforceable Priority Date: | | | | | |
| Type of Historical Right | : | | | | | |
| Purpose (use): | STOCK | | | | | |

.

Flow Rate:

Volume:

Source Name: GROUNDWATER

Point of Diversion and Means of Diversion:

Period of Use:

Place of Use:

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 12/08/1981.

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: | 42C 213536-00 STATEMENT OF CLAIM |
|--------------------------|--|
| | Version: 1 ORIGINAL RIGHT |
| | Status: WITHDRAWN |
| Owners: | DAVID M SCHNEIDER 3639 QUIMET CIRCLE BILLINGS, MT 59106 1009 |
| | NATALIE M SCHNEIDER 3639 QUIMET CIRCLE BILLINGS, MT 59106 |
| Priority Date: | |
| Enforceable Price | ority Date: |
| Type of Historical Right | : |
| Purpose (use): | STOCK |
| Flow Rate: | |
| Volume: | |
| Source Name: | SPRING, UNNAMED TRIBUTARY OF WILBUR CREEK |
| Point of Diversion and N | Means of Diversion: |
| Period of Use: | |
| Place of Use: | |

Remarks:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 11/23/1982.

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: 42C 214429-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners:

BRET F AYE 171 HARVEST LN MILES CITY, MT 59301

TANNA D AYE 171 HARVEST LN MILES CITY, MT 59301

Priority Date: JULY 18, 1938

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 02/01/1994 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

Type of Historical Right: FILED

| Purpose(use): | IRRIGATION |
|------------------|--|
| Irrigation Type: | SPRINKLER/FLOOD |
| Flow Rate: | 4.34 CFS |
| *Volume: | THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. |
| Climatic Area: | 1 - HIGH |
| Maximum Acres: | 34.00 |
| Source Name: | TONGUE RIVER |
| Source Type: | SURFACE WATER |

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*Point of Diversion and Means of Diversion:

| <u>ID</u> <u>Govt</u> | | <u>Qtr Sec</u> | Sec | Twp | Rge County | _ |
|-------------------------|------------------------|----------------|-----|-----|------------|---|
| 1 | 2 | NW | 10 | 7N | 47E CUSTE | R |
| Diversion Means: | PUMP | | | | | |
| 2 | 1 | NE | 9 | 7N | 47E CUSTE | R |
| Diversion Means: | PUMP | | | | | |
| Period of Use: | APRIL 1 TO SEPTEMBER 1 | | | | | |

Place of Use:

| ID | Acres Gov | vt Lot | <u>Qtr Sec</u> | <u>Sec</u> | Twp | Rge County |
|--------|-----------|--------|----------------|------------|-----|------------|
| 1 | 17.25 | 1 | E2E2 | 9 | 7N | 47E CUSTER |
| 2 | 14.25 | 2 | SWNW | 10 | 7N | 47E CUSTER |
| 3 | 2.50 | 3 | SENW | 10 | 7N | 47E CUSTER |
| Total: | 34.00 | | | | | |

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/27/2004: POINT OF DIVERSION, MEANS OF DIVERSION, MEANS OF CONVEYANCE, MAXIMUM ACRES, PLACE OF USE, FLOW RATE, VOLUME.

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

CLAIM FILED LATE 02/01/1994 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

USDA AERIAL PHOTOGRAPH NO(S). 178-64 , DATED 07/30/1978 , APPEARS TO INDICATE 16.23 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

USDI AERIAL PHOTOGRAPH NO. MA 13 184 , DATED 08/04/1944 , APPEARS TO INDICATE 7.6 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 TONGUE RIVER WITH A PRIORITY DATE POSTDATING CASE NO. 2809 CUSTER 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." FEBRUARY 28, 2008 42C 214429-00 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.

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: 42C 215052-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners:

ALAN LLOYD 2 LLOYD RD OTTER, MT 59062

JANICE LLOYD 2 LLOYD RD OTTER, MT 59062

Priority Date: MAY 1, 1920

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 05/28/1996 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

Type of Historical Right: USE

| Purpose(use): | IRRIGATION | | | | |
|------------------------------------|---|--|--|--|--|
| Irrigation Type: | WATER SPREADING | | | | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. | | | | |
| Volume: | 94.00 AC-FT | | | | |
| Climatic Area: 2 - MODERATELY HIGH | | | | | |
| Maximum Acres: | 47.00 | | | | |
| Source Name: Source Type: | BEAR CREEK SURFACE WATER | | | | |

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| Point of Diversion and Means of Diversion: | | | | | | | |
|--|----------------|----------------|-----|-----|--------------------------|--|--|
| <u>ID</u> | Govt Lot | <u>Qtr Sec</u> | Sec | Twp | Ree County | | |
| 1 | | SWSENW | 34 | 8S | 45E POWDER RIVER | | |
| Diversion Means: DIKE | | | | | | | |
| Period of Use: JANUARY 1 TO DECEMBER 31 | | | | | | | |
| Place of Use: | | | | | | | |
| <u>ID</u> | Acres Govt Lot | <u>Qtr Sec</u> | Sec | Twp | <u>Rge</u> <u>County</u> | | |
| 1 | 35.00 | NW | 34 | 8S | 45E POWDER RIVER | | |
| 2 | 12.00 | SWSW | 27 | 8S | 45E POWDER RIVER | | |
| Total: | 47.00 | | | | | | |
| | | | | | | | |

Remarks:

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

CLAIM FILED LATE 05/28/1996 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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."

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners:

rs: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS TRUST LAND MANAGEMENT DIVISION PO BOX 201601 HELENA, MT 59620 1601

Priority Date:

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 06/27/1996 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

Type of Historical Right: USE

| IRRIGATION FLOOD |
|--|
| 187.00 GPM |
| THE FLOW RATE OF THIS CLAIM HAS BEEN REDUCED TO 17 GPM PER ACRE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION. |
| THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. PRIMARILY A DIRECT FLOW SYSTEM; VOLUME NOT DECREED. |
| 1 - HIGH |
| 11.00 |
| TONGUE RIVER SURFACE WATER |
| |

FEBRUARY 28, 2008 42C 215347-00

Page 2 of 3

| *Point of Diversion and Means of Diversion: | | | | | | | | | |
|---|----------------------------|-------|-------------------|-------|-----|---------|------------|--|--|
| <u>ID</u> | Govt] | Lot | ot <u>Qtr Sec</u> | | Twp | Rge Cou | <u>nty</u> | | |
| 1 | | 2 | NWNWNE | 20 | 2N | 45E CUS | STER | | |
| Div | version Means: | PUMP | | | | | | | |
| Period o | f Use: | APRIL | 1 TO OCTOB | ER 15 | | | | | |
| | | | | | | | | | |
| Place of | Use: | | | | | | | | |
| ID | <u>Acres</u> <u>Govt</u> 1 | Lot | <u>Qtr Sec</u> | Sec | Twp | Rge Cou | nty | | |
| 1 | 4.00 | | SENWNW | 16 | 2N | 45E CUS | STER | | |
| 2 | 7.00 | 5 | N2NESW | 16 | 2N | 45E CUS | STER | | |
| Total: | 11.00 | | | | | | | | |
| | | | | | | | | | |

Remarks:

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THE FOLLOWING 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 T & Y IRRIGATION DISTRICT. THE IRRIGATED ACRES APPEAR TO BE OUTSIDE THE T & Y SERVICE AREA.

THE CLAIMED FLOW RATE CANNOT BE CONFIRMED DUE TO A LACK OF DATA.

CLAIM FILED LATE 06/27/1996 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

THE TYPE OF HISTORICAL RIGHT MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THE CLAIM INDICATES A USE AND A RESERVED RIGHT.

THE PRIORITY DATE MAY BE QUESTIONABLE. THIS CLAIM IS FOR A USE RIGHT ON TONGUE RIVER WITH A PRIORITY DATE POSTDATING CASE NO. 2809 CUSTER COUNTY.

NO PRIORITY DATE WAS CLAIMED.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." FEBRUARY 28, 2008 42C 215347-00 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: | 42C 215546-00 | STATEMENT OF CLAIM |
|---------------------|---------------|--------------------|
|---------------------|---------------|--------------------|

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners:

MONTANA, STATE OF BOARD OF LAND COMMISSIONERS TRUST LAND MANAGEMENT DIVISION PO BOX 201601 HELENA, MT 59620 1601

Priority Date:

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 06/28/1996 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

| *Purpose(use): | IRRIGATION | | | | | | |
|--------------------------|---|--|--|--|--|--|--|
| Irrigation Type: | WATER SPREADING | | | | | | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. | | | | | | |
| *Volume: | 422.00 AC-FT | | | | | | |
| Climatic Area | 2 - MODERATELY HIGH | | | | | | |
| Maximum Acres: | 211.00 | | | | | | |
| Source Name: | BEAVER CREEK | | | | | | |
| Source Type: | SURFACE WATER | | | | | | |
| Point of Diversion and M | Aeans of Diversion: | | | | | | |
| ID Govt 1 | Lot <u>Qtr Sec</u> <u>Sec</u> <u>Twp</u> <u>Rge</u> <u>County</u> S2NWSW 11 1S 45E POWDER RIVER | | | | | | |
| Diversion Means: | DIKE | | | | | | |

FEBRUARY 28, 2008

42C 215546-00

Page 2 of 2

*Period of Use: JANUARY 1 TO DECEMBER 31

*Place of Use:

| <u>ID</u> | Acres Govt Lot | <u>Qtr Sec</u> | Sec | Twp | Rge County |
|-----------|----------------|----------------|-----|-----|------------------|
| 1 | 71.00 | S2 | 11 | 1S | 45E POWDER RIVER |
| 2 | 38.00 | N2N2 | 14 | 1S | 45E POWDER RIVER |
| 3 | 3.00 | S2S2S2 | 12 | 1S | 45E POWDER RIVER |
| 4 | 80.00 | N2N2 | 13 | 1S | 45E POWDER RIVER |
| 5 | 19.00 | NW | 18 | 1S | 46E POWDER RIVER |
| Total: | 211.00 | | | | |

Remarks:

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

CLAIM FILED LATE 06/28/1996 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

THE TYPE OF HISTORICAL RIGHT MAY BE QUESTIONABLE. DOCUMENTATION SUBMITTED WITH THE CLAIM INDICATES A USE AND A RESERVED RIGHT.

NO PRIORITY DATE WAS CLAIMED.

NO VOLUME HAS BEEN CLAIMED. THE VOLUME GUIDELINE FOR THIS AREA IS 2 ACRE-FEET 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.

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: | 42C 215547-00 | STATEMENT OF CLAIM |
|---------------------|---------------|--------------------|
|---------------------|---------------|--------------------|

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners:

rs: MONTANA, STATE OF BOARD OF LAND COMMISSIONERS TRUST LAND MANAGEMENT DIVISION PO BOX 201601 HELENA, MT 59620 1601

Priority Date:

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 06/28/1996 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

| Purpose(use): | IRRIGATION | | | | |
|--------------------------|--|--|--|--|--|
| Irrigation Type: | WATER SPREADING | | | | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. | | | | |
| Volume: | | | | | |
| Climatic Area: | 2 - MODERATELY HIGH | | | | |
| Maximum Acres: | 47.00 | | | | |
| Source Name: | UNNAMED TRIBUTARY OF OTTER CREEK | | | | |
| Source Type: | SURFACE WATER | | | | |
| Point of Diversion and N | Jeans of Diversion: | | | | |
| ID Govt I | <u>Lot Qtr Sec Sec Twp Rge County</u> | | | | |
| 1 | SWNENE 16 4S 45E POWDER RIVER | | | | |
| Diversion Means: | HEADGATE | | | | |

FEBRUARY 28, 2008 42C 215547-00

Page 2 of 2

Period of Use:

Place of Use:

| <u>ID</u> | <u>Acres</u> Govt Lot | <u>Qtr Sec</u> | Sec | Twp | Rge County |
|-----------|-----------------------|----------------|-----|-----|------------------|
| 1 | 47.00 | NE | 16 | 4S | 45E POWDER RIVER |
| Total: | 47.00 | | | | |

Remarks:

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

CLAIM FILED LATE 06/28/1996 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

NO PERIOD OF USE HAS BEEN CLAIMED. THE USUAL AND REASONABLE PERIOD OF USE IN THIS AREA IS JANUARY 1 TO DECEMBER 31.

THE POWDER RIVER COUNTY WATER RESOURCES SURVEY (1961) APPEARS TO INDICATE 10.00 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 AND A RESERVED RIGHT.

NO PRIORITY DATE WAS CLAIMED.

NO VOLUME HAS BEEN CLAIMED. THE VOLUME GUIDELINE FOR THIS AREA IS 2 ACRE-FEET PER ACRE.

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.

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: 42C 216111-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners:

CYNTHIA S RADUE HC 32 BOX 4261 MILES CITY, MT 59301

KELLY F RADUE HC 32 BOX 4261 MILES CITY, MT 59301

*Priority Date: DECEMBER 31, 1968

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 06/28/1996 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

| Purpose(use): *Flow Rate: | STOCK 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: Source Type: | UNNAMED TRIBUTARY OF TONGUE RIVER SURFACE WATER |

FEBRUARY 28, 2008 42C 216111-00

Page 2 of 3

| Point of Di | version and Means | of Diversion: | | | |
|----------------|---------------------------------------|--------------------------|------------------|------------------|---|
| <u>ID</u> 1 | Govt Lot | <u>Qtr Sec</u> NESENW | <u>Sec</u> 15 | <u>Twp</u> 4N | |
| | d of Diversion:JAN sion Means: DAN | | CEMBI | ER 31 | |
| *Reservoir: | ONSTREAM | | | | |
| | Govt Lot | <u>Qtr Sec</u> NESENW | <u>Sec</u> 15 | <u>Twp</u> 4N | <u>Rge</u> <u>County</u> 47E CUSTER |
| Dam | ı Height: | 13.00 FEET | | | |
| Dept | th: | 10.00 FEET | | | |
| Surf | ace Area: | 0.10 ACRE | S | | |
| Cap | acity: | 0.40 ACRE | E-FEE | Т | |
| | THE DNR | | M HEI | GHT, AN | AND SURFACE AREA HAVE BEEN ESTIMATED BY |
| Period of U | se: JAN | UARY 1 TO DEC | EMBE | ER 31 | |
| Place of Us | e: | | | | |
| <u>ID</u> | <u>Acres</u> Govt Lot | <u>Qtr Sec</u> | Sec | Twp | <u>Rge</u> <u>County</u> |
| 1 | | NESENW | 15 | 4N | 47E CUSTER |
| Dave avlaga | | | | | |

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.

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CLAIM FILED LATE 06/28/1996 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." FEBRUARY 28, 2008 42C 216111-00 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: 42C 216112-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners:

CYNTHIA S RADUE HC 32 BOX 4261 MILES CITY, MT 59301

KELLY F RADUE HC 32 BOX 4261 MILES CITY, MT 59301

*Priority Date: DECEMBER 31, 1968

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 06/28/1996 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

| Purpose(use): *Flow Rate: | STOCK 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: Source Type: | UNNAMED TRIBUTARY OF DRY CREEK SURFACE WATER |

FEBRUARY 28, 2008 42C 216112-00

Page 2 of 2

Point of Diversion and Means of Diversion:

| <u>ID</u> 1 | <u>Govt La</u> | <u>ot</u> | <u>Qtr Sec</u> SENENW | <u>Sec</u> 23 | <u>Twp</u> 4N | <u>County</u> CUSTER |
|-------------------|-----------------------------|-----------|--------------------------|------------------|------------------|-----------------------------|
| | of Diversion: ion Means: | | •= | | | COULT |
| Reservoir: | ONSTREA | М | | | | |

| <u>Govt</u>] | <u>Lot</u> <u>Qt</u> SENE | <u>r Sec</u> ENW | <u>Sec</u> 23 | <u>Тwp</u> 4N | <u>Rge</u> 47E | <u>County</u> CUSTER |
|----------------|------------------------------|---------------------|------------------|------------------|-------------------|-------------------------|
| Dam Height: | 13.00 | FEET | | | | |
| Depth: | 10.00 | FEET | - | | | |
| Surface Area: | 1.00 | ACRE | ES | | | |
| Capacity: | 4.00 | ACRE | E-FEET | Γ | | |
| Period of Use: | JANUARY 1 T | O DEC | EMBE | R 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 | | SENENW | 23 | 4N | 47E CUSTER |

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.

CLAIM FILED LATE 06/28/1996 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND 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: 42C 216113-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners:

CYNTHIA S RADUE HC 32 BOX 4261 MILES CITY, MT 59301

KELLY F RADUE HC 32 BOX 4261 MILES CITY, MT 59301

*Priority Date: DECEMBER 31, 1968

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 06/28/1996 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

Type of Historical Right: FILED

| Purpose(use): *Flow Rate: | STOCK 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: Source Type: | UNNAMED TRIBUTARY OF TONGUE RIVER SURFACE WATER |

FEBRUARY 28, 2008 42C 216113-00

Page 2 of 3

| Point of Diversion and Means of Diversion: | | | | | | |
|---|---|-----------------------------------|--|--------------------------|--|--|
| <u>ID</u> | <u>Govt I</u> | | $\frac{1}{10} \frac{1}{10} \frac$ | Rge County | | |
|] Douto i | l of Dimonston | | 15 4N | 47E CUSTER | | |
| Period of Diversion: JANUARY 1 TO DECEMBER 31 Diversion Means: DAM | | | | | | |
| | | | | | | |
| Reservoir: | ONSTRE | λM | | | | |
| | <u>Govt L</u> | | <u>ec</u> <u>Twp</u> 15 4N | Rge County 47E CUSTER | | |
| Dam Height: | | 13.00 FEET | | | | |
| Depth: | | 10.00 FEET | | | | |
| Surface Area: | | 2.00 ACRES | | | | |
| Capacity: | | 8.00 ACRE-F | FEET | | | |
| | THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC. | | | | | |
| Period of Use: JANU | | JANUARY 1 TO DECE | MBER 31 | | | |
| Place of Use: | | | | | | |
| <u>ID</u> | <u>Acres Govt L</u> | <u>ot</u> <u>Qtr Sec</u> <u>S</u> | ec <u>Twp</u> | Rge County | | |
| 1 | | SESENE | 15 4N | 47E CUSTER | | |
| | | | | | | |

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.

9

CLAIM FILED LATE 06/28/1996 . IN ADDITION TO BEING SUBORDINATE TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW, THIS RIGHT MAY ALSO BE SUBORDINATE TO CERTAIN PERMITS AND RESERVATIONS OF WATER. SEE SECTION 85-2-221 MCA.

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." FEBRUARY 28, 2008 42C 216113-00 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: 42C 216202-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Status: ACTIVE

Late Claim: B

Owners:

DANIEL R GASKILL PO BOX 146 ASHLAND, MT 59003

HARRIET MINOW 201 5TH SE SIDNEY, MT 59270

WANDA J GASKILL PO BOX 146 ASHLAND, MT 59003 0146

*Priority Date: DECEMBER 31, 1938

Enforceable Priority Date: JUNE 30, 1973

CLAIM FILED LATE 06/27/1996 . AS MANDATED BY SECTION 85-2-221(3), MCA, THIS CLAIM IS SUBORDINATE, AND THEREFORE JUNIOR, TO ALL INDIAN AND FEDERAL RESERVED WATER RIGHTS AND ALL VALID TIMELY FILED CLAIMS BASED ON STATE LAW.

| Purpose(use): | IRRIGATION | | |
|-------------------------|---|--|--|
| Irrigation Type: | WATER SPREADING | | |
| *Flow Rate: | A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. | | |
| Volume: | 25.50 AC-FT | | |
| Climatic Area: 1 - HIGH | | | |
| Maximum Acres: | 17.00 | | |
| Source Name: | UNNAMED TRIBUTARY OF PUMPKIN CREEK | | |
| Source Type: | SURFACE WATER | | |

FEBRUARY 28, 2008 42C 216202-00

Page 2 of 2

Point of Diversion and Means of Diversion: ID Govt Lot Qtr Sec Sec Twp **Rge** County SENWNW 2 5N 48E CUSTER 1 Diversion Means: DIKE **JANUARY 1 TO DECEMBER 31 Period of Use:** Place of Use: ID Acres Govt Lot **Rge** County Qtr Sec Sec Twp 14.00 2 1 NWNW 5N **48E CUSTER** 2 3.00 SWSWSW 35 6N 48E CUSTER 17.00 Total:

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.

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