#### 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 1 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000038-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: BURNES VIOLET F

PO BOX 918

FORSYTH MT 59327 BURNES ROBERT O

PO BOX 918

FORSYTH MT 59327 FERGUSON GEORGIA FORSYTH MT 59327

FERGUSON JACK

HCR 83 BOX 75

ROSEBUD MT 59347

OWNER ROBERT O BURNES RETAINED. CONTRACT FOR DEED INTEREST.

PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: WATER SPREADING

SOURCE:

UNNAMED TRIBUTARY OF HORSE CREEK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1930

TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING.

VOLUME:

40.00 AF

**CLIMATIC AREA: 1** MAXIMUM ACRES: 27.00 \* PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** W2NWNE 07 07N 42E ROSEBUD DIKE PLACE OF USE FOR IRRIGATION: LOT BLK QTR SEC SEC TWP RGE COUNTY ACRES 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 2 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000038-00\*(CONTINUED) PLACE OF USE CONTINUED: 001 27.00 E2NW 07 07N 42E ROSEBUD TOTAL 27.00 **REMARKS:** NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/20/87. \* \* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS \* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED. \* THE ROSEBUD COUNTY WATER RESOURCES SURVEY (1948) \* APPEARS TO INDICATE 18.00 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE. \* VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

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

\*

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 3
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000039-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: BURNES VIOLET F

PO BOX 918 FORSYTH MT59327 **BURNES** ROBERT O PO BOX 918 FORSYTH MT 59327 FERGUSON **GEORGIA** FORSYTH MT 59327 JACK FERGUSON HCR 83 BOX 75

OWNER ROBERT O BURNES RETAINED. CONTRACT FOR DEED INTEREST.

PURPOSE (USE): IRRIGATION

ROSEBUD

TYPE OF IRRIGATION SYSTEM: WATER SPREADING

MT 59347

SOURCE:

HORSE CREEK

SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

JULY 31, 1934 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. VOLUME: 190.00 AF **CLIMATIC AREA: 1** MAXIMUM ACRES: 95.00 \* PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS NENESW 06 07N 42E ROSEBUD 01 DIKE PLACE OF USE FOR IRRIGATION: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 4
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-000039-00\*(CONTINUED)

PLACE OF USE CONTINUED:

 001
 12.00
 W2SE 06 07N 42E ROSEBUD

 002
 45.00
 SW 06 07N 42E ROSEBUD

 003
 38.00
 NW 07 07N 42E ROSEBUD

TOTAL 95.00

**REMARKS:** 

\_\_\_\_

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/27/95: METHOD OF IRRIGATION, MEANS OF DIVERSION, POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, VOLUME, PRIORITY DATE.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/20/87.

\*

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

\* \*

\*

\*

\*

THE ROSEBUD COUNTY WATER RESOURCES SURVEY (1948)

APPEARS TO INDICATE 50.00 ACRES IRRIGATED. A

DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION

OF MAXIMUM ACRES ISSUE.

\* \*

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 5
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000280-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: BURNES ROBERT O

PO BOX 918

FORSYTH MT 59327 BURNES VIOLET F

PO BOX 918

FERGUSON GEORGIA FORSYTH MT 59327 FERGUSON JACK HCR 83 BOX 75 ROSEBUD MT 59347 OWNER VIOLET F BURNES RETAINED. CONTRACT FOR DEED INTEREST. PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF HORSE CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: JULY 31, 1928 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SESWNW 08 07N 42E ROSEBUD **DAM** RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SESWNW 08 07N 42E ROSEBUD 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000280-00\*(CONTINUED) PLACE OF USE CONTINUED:

FORSYTH

\* PLACE OF USE FOR STOCK:

MT 59327

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 W2SENW 08 07N 42E ROSEBUD 002 E2SWNW 08 07N 42E ROSEBUD

REMARKS:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/02/87: POINT OF DIVERSION AND PLACE OF USE.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/20/87.

\*

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

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 7
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000289-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: HIRSCH RANCH INC
TONGUE RIVER STAGE MILES CITY MT 59301 PURPOSE (USE): STOCK
* SOURCE:
UNNAMED TRIBUTARY OF MOON CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1943 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: APRIL 15 TO NOVEMBER 19
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESESE 13 05N 45E CUSTER DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESESE 13 05N 45E CUSTER PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESESE 13 05N 45E CUSTER  ***********************************
12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 8 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

# ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000289-00\*(CONTINUED)

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 9
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000290-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: HIRSCH RANCH INC

TONGUE RIVER STAGE
MILES CITY MT 59301
PURPOSE (USE): STOCK

\* SOURCE:

UNNAMED TRIBUTARY OF MOON CREEK
SOURCE TYPE: SURFACE WATER
\* PRIORITY DATE:

\_\_\_\_\_\_ DECEMBER 31, 1956

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: APRIL 15 TO NOVEMBER 19
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENWSE 18 05N 46E CUSTER DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENWSE 18 05N 46E CUSTER PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENWSE 18 05N 46E CUSTER  ***********************************
* DATA, OR ISSUES TO REPORT TO THE WATER COURT.  ***********************************
12/09/03 TEMBORARY PRELIMINARY DECREE PAGE 10

TEMPORARY PRELIMINARY DECREE PAGE 10
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000290-00\*(CONTINUED)

TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

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

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

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

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 11
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000291-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: HIRSCH RANCH INC

TONGUE RIVER STAGE
MILES CITY MT 59301
PURPOSE (USE): STOCK

\* SOURCE:

UNNAMED TRIBUTARY OF MOON CREEK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1942 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

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

PERIOD OF USE: APRIL 15 TO NOVEMBER 19

* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENWNE 19 05N 46E CUSTER DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NENWNE 19 05N 46E CUSTER PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 N2NWNE 19 05N 46E CUSTER ************************************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  * DATA, OR ISSUES TO REPORT TO THE WATER COURT.  ***********************************

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 12
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-000291-00\*(CONTINUED)

\_ \_ \_ \_ \_

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 13
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

# ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000292-00

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IMPORTANT NOTICE YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA

OCUMENT E OF

SUPREME COURT.
OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE D
ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE
AVAILABILITY."
OWNERS: HIRSCH RANCH INC
TONGUE RIVER STAGE
MILES CITY MT 59301
* PURPOSE (USE): IRRIGATION
TORTOSE (USE). IRRIGATION
TYPE OF IRRIGATION SYSTEM: WATER SPREADING
SOURCE:
LININAMED TRIBUTARY OF MOON CREEK
UNNAMED TRIBUTARY OF MOON CREEK
SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
DECEMBER 31, 1960
TYPE OF HISTORICAL RIGHT: USE
* FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE
CONSISTS OF DIRECT FLOW WATER SPREADING.
* VOLUME:
12.65 AF
CLIMATIC AREA: 1
THE VOLUME OF THIS WATER RIGHT HAS BEEN REDUCED TO THE
2.3 ACRE-FEET PER ACRE GUIDELINE FOR WATER SPREADING.
THE VOLUME MAY BE CONTESTED BY PROPER OBJECTION.
MAXIMUM ACRES: 5.50
PERIOD OF USE: MAY 01 TO JULY 19
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 S2SENE 20 05N 46E CUSTER DIKE
* PLACE OF USE FOR IRRIGATION:

Helias Zer Ben (inspe see in nee eeelir

001 5.50 SENE 20 05N 46E CUSTER

TOTAL 5.50

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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.

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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 14
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000292-00\*(CONTINUED)

REMARKS CONTINUED:

\* THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. THE

\* CLAIMED PERIOD OF USE MAY BE INADEQUATE.

\* \*

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 15
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000293-00

\_ \_ \_

# IMPORTANT NOTICE

# YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: HIRSCH RANCH INC TONGUE RIVER STAGE MILES CITY MT 59301 PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: FLOOD SOURCE: MOON CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: DECEMBER 31, 1934 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. **VOLUME:** 58.70 AF CLIMATIC AREA: 1 MAXIMUM ACRES: 26.00 PERIOD OF USE: MAY 01 TO JULY 19 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SESESW 20 05N 46E CUSTER DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY SESESW 20 05N 46E CUSTER 01 ONSTREAM CAPACITY: 16.0 AC-FT DAM HEIGHT: 10 FT SURFACE AREA: 4.00 ACRES

 $file: ///D / ... orn \% 20 and \% 20 Tongue \% 20 Rivers \% 2003\_1114 / Decree\_indexes \% 20 as \% 20 issued \% 20 in \% 20 txt \% 20 file \% 20 format/b42 KJ\_p1.txt [2/10/2010 10:57:55 AM]$ 

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN

ESTIMATED BY THE DNRC.

# \* PLACE OF USE FOR IRRIGATION:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
001	26.00	W2SE 20 05N 46E CUSTER	
тот	AI 26.00		

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 16
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000293-00\*(CONTINUED)

# REMARKS CONTINUED:

\* \* \*

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\*

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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.

THE CUSTER COUNTY WATER RESOURCES SURVEY (1948)

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 17
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

# ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000856-00

\* PLACE OF USE FOR IRRIGATION:

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: HOLLOWELL SHAWN MYERS STAR RT MT 59038 HYSHAM PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: FLOOD SOURCE: YELLOWSTONE RIVER SOURCE TYPE: SURFACE WATER PRIORITY DATE: **DECEMBER 21, 1955** TYPE OF HISTORICAL RIGHT: FILED \* FLOW RATE: 5.37 CFS THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION. \* VOLUME: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. CLIMATIC AREA: 1 MAXIMUM ACRES: 141.80 PERIOD OF USE: APRIL 15 TO OCTOBER 19 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** 01 (GOVT) 4 SESENW 32 07N 37E TREASURE **PUMP** 02 (GOVT) 3 SWNWSE 32 07N 37E TREASURE PUMP

	ACRES	LOT BLK (	QTR SEC SEC TWP I	RGE COUNTY
001 002	41.00 98.00	NE	V 32 07N 37E TREA 32 07N 37E TREASI	URE
003	2.80 (GO	VT) 3 N	WNWSE 32 07N 37E	E TREASURE
TOTA REM	AL 141.80 ARKS:			

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 18
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000856-00\*(CONTINUED)

**REMARKS CONTINUED:** 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/28/90.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

\*

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

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

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 19
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000860-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: GARVERICH MONTANA C SARPY RT HYSHAM MT 59038 PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: FLOOD SOURCE: SARPY CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: MARCH 05, 1938 TYPE OF HISTORICAL RIGHT: FILED \* FLOW RATE: 2.80 CFS THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION. \* VOLUME: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. CLIMATIC AREA: 1 MAXIMUM ACRES: 74.00 PERIOD OF USE: APRIL 01 TO SEPTEMBER 30 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SESWNE 31 06N 37E TREASURE PUMP \* PLACE OF USE FOR IRRIGATION: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES 001 8.30 W2SE 30 06N 37E TREASURE

E2SESW 30 06N 37E TREASURE

NWNE 31 06N 37E TREASURE

002

003

20.50

40.10

004 5.10

TOTAL 74.00 REMARKS:

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 20
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000860-00\*(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLE-MENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS OF THE CLAIMANT'S TOTAL 74.40 ACRES. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. W000860-00, W188953-00.

\*

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

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 21
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000861-00

# IMPORTANT NOTICE YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: GARVERICH MONTANA C
SARPY RT HYSHAM MT 59038 PURPOSE (USE): IRRIGATION
TYPE OF IRRIGATION SYSTEM: FLOOD * SOURCE:
UNNAMED TRIBUTARY OF SARPY CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:
JULY 01, 1953 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  VOLUME:
46.50 AF CLIMATIC AREA: 1 MAXIMUM ACRES: 13.30
PERIOD OF USE: APRIL 01 TO SEPTEMBER 30
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESENE 30 06N 37E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SESENE 30 06N 37E TREASURE CAPACITY: 45.0 AC-FT DAM HEIGHT: 18 FT SURFACE AREA: 7.50 ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR

# ADDITIONAL RESERVOIR DATA.

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

\* PLACE OF USE FOR IRRIGATION:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 6.10 E2SWNE 30 06N 37E TREASURE

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 22
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000861-00\*(CONTINUED)

PLACE OF USE CONTINUED:

002 7.20 N2NWSE 30 06N 37E TREASURE

TOTAL 13.30 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. W000861-00, W000863-00.

\*

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

\*

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

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

# 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 23 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000862-00

<b>IMPORTANT</b>	NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

AVAILABILITY."
OWNERS: GARVERICH MONTANA C
SARPY RT HYSHAM MT 59038 PURPOSE (USE): IRRIGATION
TYPE OF IRRIGATION SYSTEM: FLOOD SOURCE:
SARPY CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:
MARCH 05, 1938 TYPE OF HISTORICAL RIGHT: FILED * FLOW RATE:
4.67 CFS
THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.  * VOLUME:
THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. CLIMATIC AREA: 1 MAXIMUM ACRES: 123.20
PERIOD OF USE: APRIL 01 TO SEPTEMBER 30
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SENWSE 30 06N 37E TREASURE PUMP \* PLACE OF USE FOR IRRIGATION:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001	31.70	NWSE 30 06N 37E TREASURE
002	19.20	NESW 30 06N 37E TREASURE
003	22.20	E2NW 30 06N 37E TREASURE
004	50.10	W2NE 30 06N 37E TREASURE
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TOT	AL 123.20	

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 24
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000862-00\*(CONTINUED)

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 25
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000863-00

### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

<sup>\*</sup> THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

<sup>\*</sup> DATA, OR ISSUES TO REPORT TO THE WATER COURT.

<sup>\*</sup> 

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: GARVERICH MONTANA C SARPY RT HYSHAM MT 59038 PURPOSE (USE): STOCK \* SOURCE: UNNAMED TRIBUTARY OF SARPY CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: JULY 01, 1953 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: APRIL 01 TO SEPTEMBER 04 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SESENE 30 06N 37E TREASURE DAMRESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SESENE 30 06N 37E TREASURE CAPACITY: 45.0 AC-FT DAM HEIGHT: 18 FT SURFACE AREA: 7.50 ACRES THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN

ESTIMATED BY THE DNRC.

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

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SESENE 30 06N 37E TREASURE 002 S2SWNW 29 06N 37E TREASURE

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 26
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000863-00\*(CONTINUED)

PLACE OF USE CONTINUED:

003 N2NWSW 29 06N 37E TREASURE

**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. W000861-00, W000863-00.

\*

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

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 27
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

# BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000864-00

\* PLACE OF USE FOR STOCK:

ACRES

IMPORTANT NOTICE YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: CANTRELL IRENE 625 AVENUE B BILLINGS MT 59102 GARVERICH MONTANA C SARPY RT HYSHAM MT 59038 PURPOSE (USE): STOCK \* SOURCE: SPRING, TRIB OF CEDAR COULEE SOURCE TYPE: GROUNDWATER PRIORITY DATE: JULY 01, 1941 TYPE OF HISTORICAL RIGHT: USE FLOW RATE: 18.00 GPM ( .04 CFS) \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: APRIL 01 TO NOVEMBER 04 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS SENWNE 28 05N 36E TREASURE DEVELOPED SPRING

LOT BLK OTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

# 001 SENWNE 28 05N 36E TREASURE

\*

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

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 28
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000864-00\*(CONTINUED)

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 29
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-000865-00

# **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: SPANNAGEL NINA M

917 N 17TH #7 BOZEMAN MT 59715 GARVERICH MONTANA C SARPY RT HYSHAM MT 59038 PURPOSE (USE): STOCK SOURCE: WELL SOURCE TYPE: GROUNDWATER PRIORITY DATE: JULY 01, 1954 TYPE OF HISTORICAL RIGHT: USE FLOW RATE: 15.00 GPM (.03 CFS) \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: OCTOBER 01 TO DECEMBER 31 POINT OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY 01 NENWSE 02 05N 36E TREASURE \* PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY NENWSE 02 05N 36E TREASURE 001 \* \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, \* DATA. OR ISSUES TO REPORT TO THE WATER COURT. \* 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 30 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000865-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 31
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000866-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: SPANNAGEL NINA M

———

917 N 17TH #7

BOZEMAN MT 59715

GARVERICH MONTANA C

SARPY RT

MT

TYPE OF HISTORICAL RIGHT: USE

59038

PURPOSE (USE): STOCK

HYSHAM

\* FLOW RATE:

\* SOURCE:

WHITCOMB COULEE
SOURCE TYPE: SURFACE WATER
PRIORITY DATE:

JULY 01, 1937

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: OCTOBER 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENWNE 02 05N 36E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENWNE 02 05N 36E TREASURE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENWNE 02 05N 36E TREASURE

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 32
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000866-00\*(CONTINUED)

**REMARKS CONTINUED:** 

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

\*

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE

DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 33
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000867-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: GARVERICH MONTANA C

SARPY RT
HYSHAM MT 59038
PURPOSE (USE): STOCK
\*SOURCE:

SPRING, TRIB OF SCRAPER COULEE SOURCE TYPE: SURFACE WATER

ALSO KNOWN AS MOSSENGREEN SPRING PRIORITY DATE:

JULY 01, 1937 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

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

\* VOLUME:

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

12/09/03

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TEMPORARY PRELIMINARY DECREE PAGE 34
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-000867-00\*(CONTINUED)

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE DEVICED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED.

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 35
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-000868-00

IMPORTANT NOTICE

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: GARVERICH MICHAEL R 245 TERRA VERDE BUTTE MT 59701 PURPOSE (USE): STOCK \* SOURCE: SPRING, TRIB OF SCRAPER COULEE SOURCE TYPE: SURFACE WATER ALSO KNOWN AS MAGGIES SPRING PRIORITY DATE: JULY 01, 1955 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: APRIL 01 TO DECEMBER 04 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NWNESW 23 05N 36E TREASURE DIRECT FROM SOURCE \* PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES 001 NWNESW 23 05N 36E TREASURE **REMARKS:** 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/18/89.

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

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 36
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000868-00\*(CONTINUED)

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 37
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000869-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: GARVERICH MONTANA C

SARPY RT
HYSHAM MT 59038
PURPOSE (USE): STOCK
SOURCE:
WELL
SOURCE TYPE: GROUNDWATER
PRIORITY DATE:
JULY 01, 1955
TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:
12.50 CDM / 02 CEG\
13.50 GPM ( .03 CFS)
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: APRIL 01 TO DECEMBER 04
TERIOD OF USE. AT RIE OF TO DECEMBER 04
* POINT OF DIVERSION:
TORVE OF DIVERSION.
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 SWSWNE 27 05N 36E TREASURE
* PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSWNE 27 05N 36E TREASURE
REMARKS:
AUTHORIZATION TO CHANGE THE POINT OF DIVERSION
COMPLETED 12/01/82. FILE REFLECTS RIGHT AS IT
EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE
RECORDED AFTER FINAL DECREE. SEE 42KJ G(W)000869-00.
************************************

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 38 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000869-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 39
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000870-00

**IMPORTANT NOTICE** 

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: GARVERICH MONTAN	IA C
SARPY RT	
HYSHAM MT 59038	
PURPOSE (USE): STOCK	
SOURCE:	
CEDAR COULEE	
SOURCE TYPE: SURFACE W	ATER
PRIORITY DATE:	
JULY 01, 1950	
TYPE OF HISTORICAL RIGH	T. IISE

\* FLOW RATE:

THIS ONSTREAM RESERVOIR.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: APRIL 01 TO DECEMBER 04
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESWSW 23 05N 36E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESWSW 23 05N 36E TREASURE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESWSW 23 05N 36E TREASURE  *****************************  THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  DATA, OR ISSUES TO REPORT TO THE WATER COURT.  ***********************************
12/09/03

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

TEMPORARY PRELIMINARY DECREE PAGE 40
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000870-00\*(CONTINUED)

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE

DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 41
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000871-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: GARVERICH MICHAEL R
245 TERRA VERDE BUTTE MT 59701 PURPOSE (USE): STOCK
SOURCE:
WELL SOURCE TYPE: GROUNDWATER PRIORITY DATE:
JULY 01, 1958 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
13.50 GPM ( .03 CFS) * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: APRIL 01 TO DECEMBER 04
POINT OF DIVERSION:

# LOT BLK QTR SEC SEC TWP RGE COUNTY

01 NENENE 23 05N 36E TREASURE

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

NENENE 23 05N 36E TREASURE

REMARKS:

\_\_\_\_

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/18/89.

\*

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

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 42
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000871-00\*(CONTINUED)

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

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

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 43
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-000872-00

IMPORTANT NOTICE

		SHOWN							

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: GARVERICH MICHAEL R 245 TERRA VERDE BUTTE MT 59701 PURPOSE (USE): STOCK \* SOURCE: UNNAMED TRIBUTARY OF SCRAPER COULEE SOURCE TYPE: SURFACE WATER PRIORITY DATE: JULY 01, 1943 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: APRIL 01 TO DECEMBER 04 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SESWSE 14 05N 36E TREASURE DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SESWSE 14 05N 36E TREASURE CAPACITY: 9.6 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 2.00 ACRES

file:///D/...orn%20and%20Tongue%20Rivers%2003\_1114/Decree\_indexes%20as%20issued%20in%20txt%20file%20format/b42KJ\_p1.txt[2/10/2010 10:57:55 AM]

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN

ESTIMATED BY THE DNRC.

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

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

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001 SESWSE 14 05N 36E TREASURE 002 NENWNE 23 05N 36E TREASURE

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 44
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000872-00\*(CONTINUED)

REMARKS CONTINUED: REMARKS:

\_\_\_\_

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/18/89.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 45
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-000877-00

IMPORTANT NOTICE

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YOUR WAIER RIGHT /	AS SHOWN ON THIS	ABSTRACT MAY HAVE	CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: LUTHER CORY R HC 43 BOX 4 MT 59347 ROSEBUD PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF SWEENEY CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1960** TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 28 TO NOVEMBER 30 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NENESW 01 05N 43E ROSEBUD DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NENESW 01 05N 43E ROSEBUD

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

CAPACITY: 28.8 AC-FT DAM HEIGHT: 10 FT SURFACE AREA: 9.00 ACRES

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

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001 NENESW 01 05N 43E ROSEBUD 002 W2NWSE 01 05N 43E ROSEBUD

**REMARKS**:

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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 46
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000877-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/24/01.

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

\*

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

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

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 47
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000878-00

- - -

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM

CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.
OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: HOLMES ERNEST W \*\*\*DECEASED\*\*\* PO BOX 416 FORSYTH MT 00000 HOLMES MARK 157 THURLOW RD MT 59347-9543 ROSEBUD PURPOSE (USE): STOCK SOURCE: **BUFFALO CREEK** SOURCE TYPE: SURFACE WATER PRIORITY DATE: TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: APRIL 01 TO OCTOBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NENENE 19 05N 44E ROSEBUD DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NENENE 19 05N 44E ROSEBUD \* PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES

001

REMARKS:

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 48
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000878-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/12/88.

\*

\* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS

\* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN \*

UNRESOLVED IF NO OBJECTIONS ARE FILED.

NO 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 TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 49
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000879-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

AVAILABILITY." OWNERS: NETTUNO JERRY L 851 PANARAMA MT 59715 BOZEMAN BENNETT LIVESTOCK LLC 127 BENNETT LN HATHAWAY MT 59333 OWNER BENNETT LIVESTOCK LLC RETAINED. CONTRACT FOR DEED INTEREST. PURPOSE (USE): STOCK \* SOURCE: UNNAMED TRIBUTARY OF COAL CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1906** TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: APRIL 01 TO OCTOBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SWSESE 07 05N 44E ROSEBUD DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SWSESE 07 05N 44E ROSEBUD

<sup>\*</sup> PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

SWSESE 07 05N 44E ROSEBUD

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 50
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000879-00\*(CONTINUED)

REMARKS CONTINUED: REMARKS:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/05/00. WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/17/01.

\*

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

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 51
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

ABSTRACT OF WATER RIGHT CLAIR WATER\*RIGHT\*NUMBER\*42KJ-W-000880-00

WAIER RIGITI NOWIDER 42KJ-W-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING

THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: LUTHER CORY R HC 43 BOX 4 ROSEBUD MT 59347 PURPOSE (USE): STOCK \* SOURCE: UNNAMED TRIBUTARY OF RUNAWAY CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: MARCH 16, 1918 TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: APRIL 01 TO SEPTEMBER 30 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NWSESW 04 05N 43E ROSEBUD DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NWSESW 04 05N 43E ROSEBUD \* PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY NWSESW 04 05N 43E ROSEBUD 001

**REMARKS:** 

# WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/24/01.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 52
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000880-00\*(CONTINUED)

# **REMARKS CONTINUED:**

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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.

\*

\* \* \*

RESERVOIR APPEARS WASHED OUT ON USDA AERIAL

PHOTOGRAPH NO. 278-133, DATED 09/17/79.

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\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 53
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000881-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER

COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: NETTUNO JERRY L 851 PANARAMA BOZEMAN MT 59715 BENNETT LIVESTOCK LLC 127 BENNETT LN HATHAWAY MT 59333 OWNER BENNETT LIVESTOCK LLC RETAINED. CONTRACT FOR DEED INTEREST. PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF COAL CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1968** TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SENWNE 07 05N 44E ROSEBUD DAM RESERVOIR: QTR SEC SEC TWP RGE COUNTY SENWNE 07 05N 44E ROSEBUD 01 ONSTREAM \* PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 54
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000881-00\*(CONTINUED)

REMARKS CONTINUED: REMARKS:

AUTHORIZATION TO CHANGE THE POINT OF DIVERSION, PLACE OF USE, PLACE OF STORAGE COMPLETED 11/07/79. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE. SEE 42KJ G(W)000881-00.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/05/00. WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/17/01.

\*

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

\*

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

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

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

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 55
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000882-00

# IMPORTANT NOTICE

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: LUTHER GEORGE E 667 SWEENEY CREEK RD ROSEBUD MT 59347 LUTHER NANCY C 667 SWEENEY CREEK RD ROSEBUD MT 59347 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF SWEENEY CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: MAY 26, 1924 TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: MARCH 01 TO JUNE 04 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SESENE 10 05N 43E ROSEBUD DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SESENE 10 05N 43E ROSEBUD \* PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES

\_\_\_\_\_

SESENE 10 05N 43E ROSEBUD

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 56
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000882-00\*(CONTINUED)

REMARKS CONTINUED:

001

\*

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

\*

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 57
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000883-00

**IMPORTANT NOTICE** 

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OWNERS: LUTHER GEORGE E

667 SWEENEY CREEK RD ROSEBUD MT 59347 LUTHER NANCY C 667 SWEENEY CREEK RD ROSEBUD MT 59347 PURPOSE (USE): STOCK	
SOURCE:	
UNNAMED TRIBUTARY OF IRON JAW CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:	
DECEMBER 31, 1906 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:	
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:	
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USE FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: MAY 01 TO JULY 04	SEI
POINT OF DIVERSION AND MEANS OF DIVERSION:	
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS	
01 NWSWSE 09 05N 44E ROSEBUD DAM RESERVOIR:	
QTR SEC SEC TWP RGE COUNTY	
01 ONSTREAM NWSWSE 09 05N 44E ROSEBUD * PLACE OF USE FOR STOCK:	
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 NWSWSE 09 05N 44E ROSEBUD	
12/09/03	

TEMPORARY PRELIMINARY DECREE PAGE 58
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000883-00\*(CONTINUED)

# REMARKS CONTINUED:

\*

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

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 59
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-000884-00

IMPORTANT NOTICE

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

OWNERS: LUTHER GEORGE E

667 SWEENEY CREEK RD
ROSEBUD MT 59347
LUTHER NANCY C
667 SWEENEY CREEK RD
ROSEBUD MT 59347

PURPOSE (USE): STOCK

\* SOURCE:

UNNAMED TRIBUTARY OF BUFFALO CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:
DECEMBER 31, 1938 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSWNE 13 05N 43E ROSEBUD DAM RESERVOIR:  QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSWNE 13 05N 43E ROSEBUD * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSWNE 13 05N 43E ROSEBUD REMARKS:
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 60 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM VATER*RIGHT*NUMBER*42KJ-W-000884-00*(CONTINUED)

REMARKS CONTINUED:

AUTHORIZATION TO CHANGE THE POINT OF DIVERSION, PLACE OF USE, PLACE OF STORAGE COMPLETED 11/05/79. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE. SEE 42KJ G(W)000884-00.

\*

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

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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 61
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-000885-00

IMPORTANT NOTICE

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

OWNERS: LUTHER CORY R

HC 43 BOX 4

ROSEBUD MT 59347

PURPOSE (USE): STOCK

SOURCE:
UNNAMED TRIBUTARY OF SWEENEY CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:
MAY 19, 1922 TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USEI FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: MARCH 01 TO NOVEMBER 30
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSWSW 12 05N 43E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSWSW 12 05N 43E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSWSW 12 05N 43E ROSEBUD REMARKS:
WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/24/01.
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 62

YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000885-00\*(CONTINUED)

REMARKS CONTINUED:

\*

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

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 63
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-000886-00

**IMPORTANT NOTICE** 

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

OWNERS: LUTHER	CO	RY	R	
HC 43 BOX 4 ROSEBUD PURPOSE (USE): STOC		5934	17	
SOURCE:				
UNNAMED TE SOURCE TYPE PRIORITY DATE:	_		OF SWEENEY CREEK E WATER	
MAY 19, 1922				

TYPE OF HISTORICAL RIGHT: USE

FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: APRIL 01 TO OCTOBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENWNW 12 05N 43E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENWNW 12 05N 43E ROSEBUD * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNENW 12 05N 43E ROSEBUD 002 SENWNW 12 05N 43E ROSEBUD REMARKS:
12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 64
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000886-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/24/01.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 65
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000887-00

\_ \_ \_

#### IMPORTANT NOTICE

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

PURPOSE (USE): STOCK

\* SOURCE:

UNNAMED TRIBUTARY OF SWEENEY CREEK SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

NOVEMBER 21, 1905

TYPE OF HISTORICAL RIGHT: USE

FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SENWSW 15 05N 43E ROSEBUD DAM

RESERVOIR:

OTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_\_

01 ONSTREAM SENWSW 15 05N 43E ROSEBUD

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 S2NWSW 15 05N 43E ROSEBUD 002 N2SWSW 15 05N 43E ROSEBUD

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 66
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000887-00\*(CONTINUED)

# REMARKS CONTINUED:

\*

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- \* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

\*

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING

1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 67
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000888-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: LUTHER CORY R	
HC 43 BOX 4 ROSEBUD MT 59347 PURPOSE (USE): STOCK	
* SOURCE:	
UNNAMED TRIBUTARY OF SWEENEY CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:	
JANUARY 11, 1906 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:	
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:	
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMING FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS FOR ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASON CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICE THIS WATER SOURCE.	PER DAY ABLE
PERIOD OF USE: MARCH 01 TO NOVEMBER 30	
* POINT OF DIVERSION AND MEANS OF DIVERSION:	
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS	

01 RESERVOIR:	NESESE 15 05N 43E ROSEBUD DAM
Q	TR SEC SEC TWP RGE COUNTY
01 ONSTREA * PLACE OF US	M NESESE 15 05N 43E ROSEBUD SE FOR STOCK:
ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001 REMARKS:	NESESE 15 05N 43E ROSEBUD

WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/24/01.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 68
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000888-00\*(CONTINUED)

**REMARKS CONTINUED:** 

\*

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

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 69
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

# IMPORTANT NOTICE

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: HOLMES ERNEST W
***DECEASED***
PO BOX 416
FORSYTH MT 00000
HOLMES MARK
157 THURLOW RD
ROSEBUD MT 59347-9543
PURPOSE (USE): STOCK
SOURCE:
WELL
SOURCE TYPE: GROUNDWATER
* PRIORITY DATE:
TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:
10.00 GPM
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USE
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: APRIL 01 TO OCTOBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NENENE 19 05N 44E ROSEBUD
* PLACE OF USE FOR STOCK:
ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NENENE 19 05N 44E ROSEBUD

REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/12/88.

\*

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

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 70
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000893-00\*(CONTINUED)

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 71
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000894-00

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## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

AVAILABILITY." OWNERS: LUTHER CORY R
HC 43 BOX 4 ROSEBUD MT 59347 PURPOSE (USE): STOCK
SOURCE:
WELL SOURCE TYPE: GROUNDWATER PRIORITY DATE:
MARCH 16, 1918 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
25.00 GPM ( .06 CFS) * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: APRIL 01 TO NOVEMBER 30
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 SESESE 04 05N 43E ROSEBUD * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESESE 04 05N 43E ROSEBUD REMARKS:
WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/24/01.
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. * **********************************
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 72

ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF

TEMPORARY PRELIMINARY DECREE PAGE 72
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

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

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 73
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-000895-00

# IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

WELL

SOURCE TYPE: GROUNDWATER

FRIORITI DATE.
DECEMBER 31, 1942 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
2.00 GPM * VOLUME:
VOLUME.
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: APRIL 01 TO SEPTEMBER 30
* POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NWNENE 21 05N 44E ROSEBUD * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNENE 21 05N 44E ROSEBUD REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/12/88.
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *  * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *  **********************************
12/09/03
TEMPORARY PRELIMINARY DECREE PAGE 74

TEMPORARY PRELIMINARY DECREE PAGE 74
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000895-00\*(CONTINUED)

DDIODITY DATE.

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

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

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 75
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000896-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: LUTHER E GEORGE 667 SWEENEY CREEK RD ROSEBUD MT 59347 LUTHER NANCY 667 SWEENEY CREEK RD MT 59347 ROSEBUD PURPOSE (USE): STOCK SOURCE: WELL SOURCE TYPE: GROUNDWATER \* PRIORITY DATE: **DECEMBER 31, 1930** TYPE OF HISTORICAL RIGHT: USE FLOW RATE: 5.00 GPM \* VOLUME:

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

# THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31

\* POINT OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

01 NWNWSW 13 05N 43E ROSEBUD

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 NWNWSW 13 05N 43E ROSEBUD

\*

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

\*

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 76
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000896-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 77
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000897-00

## IMPORTANT NOTICE

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: LUTHER GEORGE 667 SWEENEY CREEK RD MT 59347 ROSEBUD LUTHER NANCY 667 SWEENEY CREEK RD ROSEBUD MT 59347 PURPOSE (USE): STOCK SOURCE: WELL SOURCE TYPE: GROUNDWATER \* PRIORITY DATE: **DECEMBER 31, 1918** TYPE OF HISTORICAL RIGHT: USE FLOW RATE: 2.00 GPM \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY 01 NWNWNE 14 05N 43E ROSEBUD \* PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES NWNWNE 14 05N 43E ROSEBUD

 \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 78
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000897-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 79
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000898-00

## IMPORTANT NOTICE

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

OWNERS: LUTHER CORY R

HC 43 BOX 4

ROSEBUD MT 59347

PURPOSE (USE): STOCK

 $file: ///D / ... orn \% 20 and \% 20 Tongue \% 20 Rivers \% 2003\_1114 / Decree\_indexes \% 20 as \% 20 issued \% 20 in \% 20 txt \% 20 file \% 20 format/b42 KJ\_p1.txt [2/10/2010 10:57:55 AM]$ 

SOURCE.		
WELL SOURCE TYP * PRIORITY DATE:	PE: GROUNDWATER	
DECEMBER 3 TYPE OF HIS	31, 1941 TORICAL RIGHT: USE	
* VOLUME: 5.00 GPM		
FOR STOCK Y PER ANIMAL CARRYING C THIS WATER	R RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVE WATERING PURPOSES AT THE RATE OF 30 GALLONS PER ELUNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CAPACITY AND HISTORICAL USE OF THE AREA SERVICED RESOURCE.  SOURCE.  SE 01 TO SEPTEMBER 30	DAY Æ
POINT OF DIVERSION	N·	
LOT BLK QT	R SEC SEC TWP RGE COUNTY	
01 NENES * PLACE OF USE FOR	SW 34 06N 43E ROSEBUD STOCK:	
ACRES LO	OT BLK QTR SEC SEC TWP RGE COUNTY	
001 REMARKS:	NENESW 34 06N 43E ROSEBUD	
	WNERSHIP UPDATE RECEIVED 01/11/01.	
* DATA, OR ISSUES TO	ATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, O REPORT TO THE WATER COURT.  ***********************************	*
_	12/09/03 CARY PRELIMINARY DECREE PAGE 80 JE RIVER BETWEEN BIGHORN AND TONGUE RIVERS	

COLIDOE.

BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000898-00\*(CONTINUED)

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

TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 81 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000899-00

## IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: LUTHER	COI	RY	R	
——————————————————————————————————————				
ROSEBUD	MT	5934	47	
PURPOSE (USE): STO	CK			
SOURCE:				
WELL SOURCE TYF PRIORITY DATE:	PE: GRO	OUNE	OWAT	ER
DECEMBER 3	31 1926			
TYPE OF HIS	,	ı rı	снт.	HZE
FLOW RATE:	TORICI	il Ki	OIII.	OBL
6.00 GPM				
* VOLUME:				

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE

CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: AUGUST 15 TO JUNE 04

*	POINT	OF	DIV	ER9	SIO	N	•

LOT BLK QTR SEC SEC TWP RGE COUNTY

01 NESWNW 11 05N 43E ROSEBUD

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 NESWNW 11 05N 43E ROSEBUD

REMARKS:

\_\_\_\_

WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/24/01.

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

\*

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 82
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000899-00\*(CONTINUED)

\_ \_ \_ \_

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

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

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 83
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

## BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000900-00

IMPORTANT NOTICE YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER
RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.
OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
OWNERS: LUTHER CORY R
HC 43 BOX 4 ROSEBUD MT 59347 PURPOSE (USE): STOCK
SOURCE:
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
DECEMBER 31, 1920 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
10.00 GPM * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
LOT BLK QTR SEC SEC TWP RGE COUNTY  01 NENESW 34 06N 43E ROSEBUD  * PLACE OF USE FOR STOCK:

NENESW 34 06N 43E ROSEBUD

**ACRES** 

001

LOT BLK QTR SEC SEC TWP RGE COUNTY

REMARKS:
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WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/11/01.

\*

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

\*

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 84
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000900-00\*(CONTINUED)

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

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

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 85
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000901-00

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: LUTHER GEORGE E 667 SWEENEY CREEK RD MT 59347 ROSEBUD NANCY LUTHER 667 SWEENEY CREEK RD ROSEBUD MT 59347 PURPOSE (USE): STOCK \* SOURCE: UNNAMED TRIBUTARY OF INDIAN CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: MARCH 25, 1924 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: APRIL 01 TO NOVEMBER 30 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NWSESW 22 05N 43E ROSEBUD DIRECT FROM SOURCE \* PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES NWSESW 22 05N 43E ROSEBUD \* \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, \* DATA. OR ISSUES TO REPORT TO THE WATER COURT. \* 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000901-00\*(CONTINUED)

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

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

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 87
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-000902-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: LUTHER	COR	Y	R	
——————————————————————————————————————				
ROSEBUD	MT	5934	17	
PURPOSE (USE): STO	CK			
* SOURCE:				
SPRING, TRIB	OF RU	NAV	AY CR	EEK
SOURCE TYPE	E: GRO	UND	WATER	₹
* PRIORITY DATE:				
DECEMBER 3	1, 1930			
TYPE OF HIST	ORICA	L RI	GHT: U	SE

FLOW RATE:

1.00 GPM
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USEI FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: MARCH 01 TO NOVEMBER 30
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENENW 15 05N 43E ROSEBUD DEVELOPED SPRING * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NENENW 15 05N 43E ROSEBUD REMARKS:
WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/24/01. ************************************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *  * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *  **********************************
10/00/00

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 88
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-000902-00\*(CONTINUED)

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS

CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING

1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 89
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000903-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

AVAILABILITY."
OWNERS: LUTHER CORY R
HC 43 BOX 4 ROSEBUD MT 59347 PURPOSE (USE): STOCK
* SOURCE:
SPRING, TRIB OF SWEENEY CREEK SOURCE TYPE: SURFACE WATER
PRIORITY DATE:
JANUARY 11, 1906 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USE FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 N RESERVOIR:	NENWSW 15 05N 43E ROSEBUD DAM
гр	R SEC SEC TWP RGE COUNTY
01 ONSTREAM * PLACE OF USE	
ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001 REMARKS:	NWSW 15 05N 43E ROSEBUD

WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/24/01.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 90
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000903-00\*(CONTINUED)

## REMARKS CONTINUED:

\*

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

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 91
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: LUTHER GEORGE E 667 SWEENEY CREEK RD ROSEBUD MT 59347 NANCY LUTHER 667 SWEENEY CREEK RD ROSEBUD MT 59347 PURPOSE (USE): STOCK \* SOURCE: SPRING, TRIB OF INDIAN CREEK SOURCE TYPE: GROUNDWATER PRIORITY DATE: APRIL 03, 1924 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: APRIL 01 TO OCTOBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** SWSESW 22 05N 43E ROSEBUD PIT 01 RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SWSESW 22 05N 43E ROSEBUD \* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 SWSESW 22 05N 43E ROSEBUD

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 92
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000904-00\*(CONTINUED)

**REMARKS CONTINUED:** 

\*

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

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 93
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000905-00

- - -

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA

SUPREME COURT.
OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." OWNERS: LUTHER CORY R
OWNERS: LUTHER CORT R
HC 43 BOX 4 ROSEBUD MT 59347
PURPOSE (USE): STOCK
* SOURCE:
SPRING, TRIB OF SWEENEY CREEK
SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENESW 34 06N 43E ROSEBUD DIRECT FROM SOURCE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NENESW 34 06N 43E ROSEBUD REMARKS:
WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/11/01. ************************************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *  * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

12/09/03

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# TEMPORARY PRELIMINARY DECREE PAGE 94 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000905-00\*(CONTINUED)

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

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

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 95
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000906-00

\_ \_ \_

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: LUTHER CORY R

HC 43 BOX 4
ROSEBUD MT 59347
\* PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: WATER SPREADING SOURCE:

UNNAMED TRIBUTARY OF SWEENEY CREEK

SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31. 1906** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. VOLUME: 20.00 AF **CLIMATIC AREA: 1** MAXIMUM ACRES: 20.00 PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NWNWNW 11 05N 43E ROSEBUD DIKE PLACE OF USE FOR IRRIGATION: LOT BLK QTR SEC SEC TWP RGE COUNTY ACRES 001 20.00 NWNW 11 05N 43E ROSEBUD TOTAL 20.00 **REMARKS:** THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLE-

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLE-MENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS OF THE CLAIMANT'S TOTAL 62.50 ACRES. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 96
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000906-00\*(CONTINUED)

# REMARKS CONTINUED:

VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. W000906-00, W000907-00.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/24/01.

\*

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

\*

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

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

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 97
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000907-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: LUTHER CORY R

HC 43 BOX 4
ROSEBUD MT 59347

TYPE OF IRRIGATION SYSTEM: WATER SPREADING

SOURCE:

SWEENEY CREEK

PURPOSE (USE): IRRIGATION

SOURCE TYPE: SURFACE WATER

POINT OF DIVERSION NO. 1 IS ON AN UNNAMED TRIBUTARY

OF SWEENEY CREEK. PRIORITY DATE: JANUARY 11, 1906 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. VOLUME: 56.00 AF **CLIMATIC AREA: 1** MAXIMUM ACRES: 56.00 PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SESENW 11 05N 43E ROSEBUD DIKE NESW 11 05N 43E ROSEBUD 02 **DIVERSION DAM** \* PLACE OF USE FOR IRRIGATION: LOT BLK QTR SEC SEC TWP RGE COUNTY ACRES 001 54.50 NW 11 05N 43E ROSEBUD 002 1.50 W2SWNE 11 05N 43E ROSEBUD TOTAL 56.00

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 98
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000907-00\*(CONTINUED)

## **REMARKS CONTINUED:**

**REMARKS:** 

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLE-MENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS OF THE CLAIMANT'S TOTAL 62.50 ACRES. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. W000906-00, W000907-00.

## WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/24/01.

\*

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

\*

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

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

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 99
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000908-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: LUTHER CORY R

HC 43 BOX 4

ROSEBUD MT 59347

\* PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: WATER SPREADING

\* SOURCE:

SWEENEY CREEK

SOURCE TYPE: SURFACE WATER

OF SWEENEY CREEK. \* PRIORITY DATE: **DECEMBER 31, 1920** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. VOLUME: 17.00 AF **CLIMATIC AREA: 1** MAXIMUM ACRES: 17.00 PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** 01 SWSWSE 11 05N 43E ROSEBUD **DIVERSION DAM** 02 SESWSE 11 05N 43E ROSEBUD DIKE \* PLACE OF USE FOR IRRIGATION: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES 001 17.00 S2SE 11 05N 43E ROSEBUD TOTAL 17.00 **REMARKS:** WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/24/01. 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 100 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000908-00\*(CONTINUED) **REMARKS CONTINUED:** \* \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA. OR ISSUES TO REPORT TO THE WATER COURT. \*

POINT OF DIVERSION NO. 2 IS ON AN UNNAMED TRIBUTARY

file:///D/...orn%20and%20Tongue%20Rivers%2003\_1114/Decree\_indexes%20as%20issued%20in%20txt%20file%20format/b42KJ\_p1.txt[2/10/2010 10:57:55 AM]

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT

TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 101
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000909-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: LUTHER	COR	Y .	K	
——————————————————————————————————————				
ROSEBUD	MT	59347		
* PURPOSE (USE): IRR	IGATION	1		
	IGATION	N SYST	ГЕМ:	WATER SPREADING
SOURCE:				
SWEENEY C				
SOURCE TYI	PE: SURF	FACE V	WATI	ER
* PRIORITY DATE:				
DECEMBER	31, 1925			
TYPE OF HIS	TORICA	L RIGH	HT: U	JSE
* FLOW RATE:				
NO FLOW RA	ATE HAS	BEEN	DEC	REED BECAUSE THIS
				ATER SPREADING.

**VOLUME:** 

**USE** 

\_\_\_\_\_ 28.70 AF

MAXIMUM ACRES: 28.70

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

**CLIMATIC AREA: 1** 

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS

\_\_\_\_\_

01 SWNESW 11 05N 43E ROSEBUD DIVERSION DAM 02 SWNWSE 11 05N 43E ROSEBUD DIVERSION DAM

\* PLACE OF USE FOR IRRIGATION:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 18.00 NESW 11 05N 43E ROSEBUD 002 10.70 SENW 11 05N 43E ROSEBUD

TOTAL 28.70

REMARKS:

AUTHORIZATION TO CHANGE THE POD COMPLETED 08/20/79. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 102
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000909-00\*(CONTINUED)

REMARKS CONTINUED:

SEE G(W)000909-00.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/24/01.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

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

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 103
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000910-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: LUTHER GEORGE E

667 SWEENEY CREEK RD
ROSEBUD MT 59347
LUTHER NANCY C
667 SWEENEY CREEK RD
ROSEBUD MT 59347
\* PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: WATER SPREADING

\* SOURCE:

UNNAMED TRIBUTARY OF SWEENEY CREEK SOURCE TYPE: SURFACE WATER

SOURCE TYPE: SURFACE WATE

PRIORITY DATE:

NOVEMBER 18, 1929 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

VOLUME:

15.00 AF CLIMATIC AREA: 1

file:///D/...orn%20and%20Tongue%20Rivers%2003\_1114/Decree\_indexes%20as%20issued%20in%20txt%20file%20format/b42KJ\_p1.txt[2/10/2010 10:57:55 AM]

IAXIMUM ACRES: 15.00						
PERIOD OF USE: JANUARY 01 TO DECEMBER 31						
* POINT OF DIVERSION AND MEANS OF DIVERSION:						
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS						
1 SESWNE 14 05N 43E ROSEBUD DAM ESERVOIR:						
QTR SEC SEC TWP RGE COUNTY						
1 ONSTREAM SESWNE 14 05N 43E ROSEBUD PLACE OF USE FOR IRRIGATION:						
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY						
01 15.00 E2NE 14 05N 43E ROSEBUD						
OTAL 15.00 EMARKS:						
12/00/02						

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 104
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000910-00\*(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLE-MENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS OF THE CLAIMANT'S TOTAL 70.00 ACRES. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. W000910-00, W000911-00, W019480-00.

\*

\*

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

<sup>\*</sup> THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

<sup>\*</sup> DATA, OR ISSUES TO REPORT TO THE WATER COURT.

TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 105
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000911-00

- - -

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: LUTHER GEORGE E

667 SWEENEY CREEK RD
ROSEBUD MT 59347
LUTHER NANCY C
667 SWEENEY CREEK RD
ROSEBUD MT 59347
\* PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: WATER SPREADING

SOURCE:

SWEENEY CREEK

SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

APRIL 19, 1947

TYPE OF HISTORICAL RIGHT: FILED

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING.

VOLUME: 100.00 AF **CLIMATIC AREA: 1** MAXIMUM ACRES: 70.00 PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY **MEANS** DIKE SESENE 14 05N 43E ROSEBUD PLACE OF USE FOR IRRIGATION: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES 001 70.00 NE 14 05N 43E ROSEBUD

TOTAL 70.00

REMARKS:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLE-MENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 106
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000911-00\*(CONTINUED)

## **REMARKS CONTINUED:**

OVERLAPPING PARCELS OF THE CLAIMANT'S TOTAL 70.00 ACRES. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. W000910-00, W000911-00, W019480-00.

\*

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

\*

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS

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

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 107
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000912-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: LUTHER GEORGE E

667 SWEENEY CREEK RD
ROSEBUD MT 59347
LUTHER NANCY C
667 SWEENEY CREEK RD
ROSEBUD MT 59347

PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: NATURAL OVERFLOW

SOURCE:

BUFFALO CREEK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1920 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS NATURAL OVERFLOW METHOD OF IRRIGATION.

\* VOLUME:

file:///D/...orn%20and%20Tongue%20Rivers%2003\_1114/Decree\_indexes%20as%20issued%20in%20txt%20file%20format/b42KJ\_p1.txt[2/10/2010 10:57:55 AM]

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

CLIMATIC AREA: 1 MAXIMUM ACRES: 30.00

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

\_\_\_\_\_

01 S2NW 13 05N 43E ROSEBUD NATURAL OVERFLOW 02 N2SW 13 05N 43E ROSEBUD NATURAL OVERFLOW

\* PLACE OF USE FOR IRRIGATION:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
001	13.50	S2NW 13 05N 43E ROSEBUD	
002	16.50	N2SW 13 05N 43E ROSEBUD	
TOT	AL 30.00		

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 108
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000912-00\*(CONTINUED)

## REMARKS CONTINUED:

\*

\*

\*

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

\*

- \* IT APPEARS THIS WATER RIGHT MAY NOT HAVE BEEN
- \* PERFECTED. 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 TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE OUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 109 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000913-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

* OWNERS: LUTHER	CORY	R	
——— HC 43 BOX 4			
ROSEBUD	MT 593	47	
PURPOSE (USE): IRRIC	GATION		
TYPE OF IRRI	GATION SY	STEM: FLO	OOD
SWEENEY CR SOURCE TYPI * PRIORITY DATE:		E WATER	
DECEMBER 3 TYPE OF HIST * FLOW RATE:	*	IGHT: USE	
850.00 GPM			
THE ELOW DATE	THE WAY	TED DICIT	7 11 4

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 MAXIMUM ACRES: 50.00

PERIOD OF USE: MARCH 15 TO AUGUST 31

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

\_\_\_\_\_\_

01 NWNENW 03 05N 43E ROSEBUD PUMP PLACE OF USE FOR IRRIGATION:

TEACE OF USE FOR IRRIGATION.

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 50.00 SW 34 06N 43E ROSEBUD

TOTAL 50.00

**REMARKS**:

AUTHORIZATION TO CHANGE THE POD COMPLETED 10/15/80. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 110
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000913-00\*(CONTINUED)

REMARKS CONTINUED: SEE G(W)000913-00.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/11/01.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE

DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 111
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000914-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: LUTHER CORY R HC 43 BOX 4 ROSEBUD MT 59347 \* PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: WATER SPREADING SOURCE: UNNAMED TRIBUTARY OF SWEENEY CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: MAY 10, 1908 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. VOLUME: 24.00 AF **CLIMATIC AREA: 1** MAXIMUM ACRES: 24.00 PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NWNWNW 34 06N 43E ROSEBUD DIKE PLACE OF USE FOR IRRIGATION:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 21.00 NW 34 06N 43E ROSEBUD 002 3.00 SWNWNE 34 06N 43E ROSEBUD

TOTAL 24.00

REMARKS:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLE-MENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 112
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000914-00\*(CONTINUED)

# REMARKS CONTINUED:

OVERLAPPING PARCELS OF THE CLAIMANT'S TOTAL 99.60 ACRES. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. W000914-00, W000915-00.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/11/01.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS.

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT

PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 113
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

CORY

R

WATER\*RIGHT\*NUMBER\*42KJ-W-000915-00

- - -

OWNERS: LUTHER

## IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

——————————————————————————————————————
ROSEBUD MT 59347
PURPOSE (USE): IRRIGATION
TYPE OF IRRIGATION SYSTEM: WATER SPREADING
SOURCE:
UNNAMED TRIBUTARY OF SWEENEY CREEK
SOURCE TYPE: SURFACE WATER
ALSO KNOWN AS SWARTZ CREEK
PRIORITY DATE:
TYPE OF HISTORICAL RIGHT: FILED
* FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE
CONSISTS OF DIRECT FLOW WATER SPREADING.
VOLUME:
85.00 AF
CLIMATIC AREA: 1
MAXIMUM ACRES: 85.00
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
TENIOD OF ODE JANUANT OF IO DECEMBER JI

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SWNWSW 34 06N 43E ROSEBUD DIVERSION DAM PLACE OF USE FOR IRRIGATION:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 82.00 W2 34 06N 43E ROSEBUD 002 3.00 SWNWNE 34 06N 43E ROSEBUD

TOTAL 85.00

REMARKS:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLE-MENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 114
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000915-00\*(CONTINUED)

# REMARKS CONTINUED:

OVERLAPPING PARCELS OF THE CLAIMANT'S TOTAL 99.60 ACRES. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. W000914-00, W000915-00.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/11/01.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS.

\* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

\*

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT

PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 115
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000917-00

- - -

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: LUTHER GEORGE E 667 SWEENEY CREEK RD ROSEBUD MT 59347 LUTHER NANCY C 667 SWEENEY CREEK RD ROSEBUD MT 59347 PURPOSE (USE): DOMESTIC SOURCE: WELL SOURCE TYPE: GROUNDWATER \* PRIORITY DATE: **DECEMBER 31. 1930** TYPE OF HISTORICAL RIGHT: USE FLOW RATE: 10.00 GPM VOLUME: 1.50 AF (NUMBER OF HOUSEHOLDS: 1) \* MAXIMUM ACRES: .25 PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION:

# LOT BLK QTR SEC SEC TWP RGE COUNTY

01 NWNWNE 14 05N 43E ROSEBUD

\* PLACE OF USE FOR DOMESTIC:

LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES

001 .25 NWNWNE 14 05N 43E ROSEBUD

.25 TOTAL

\*

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

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 116 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000917-00\*(CONTINUED)

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 117 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000918-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: LUTHER CORY R
HC 43 BOX 4 ROSEBUD MT 59347 PURPOSE (USE): DOMESTIC
SOURCE:
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
DECEMBER 31, 1942 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
To.00 GPM VOLUME:
1.50 AF (NUMBER OF HOUSEHOLDS: 1) * MAXIMUM ACRES: .25
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NENESW 34 06N 43E ROSEBUD * PLACE OF USE FOR DOMESTIC:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 .25 NESW 34 06N 43E ROSEBUD
TOTAL .25 REMARKS:
WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/11/01.

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 118
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000918-00\*(CONTINUED)

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

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

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 119
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-000919-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: LUTHER CORY R

HC 43 BOX 4

ROSEBUD MT 59347

\* PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF SWEENEY CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:	
PRIORITI DATE:	
DECEMBER 31, 1908	
TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:	
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.	
* VOLUME:	
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY US FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31	ED
POINT OF DIVERSION AND MEANS OF DIVERSION:	
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS	
01 NENESW 34 06N 43E ROSEBUD DIRECT FROM SOURCE PLACE OF USE FOR STOCK:	
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 NESW 34 06N 43E ROSEBUD REMARKS:	
WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/11/01.	
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *  * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *  **********************************	
12/09/03	
TEMPORARY PRELIMINARY DECREE PAGE 120 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ	
ABSTRACT OF WATER RIGHT CLAIM WATER*RIGHT*NUMBER*42KI-W-000919-00*(CONTINUED)	

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

OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 121
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-000925-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: MELLE JEAN D

2030 CANTERSVILLE RD
ROSEBUD MT 59347-9527
PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: WATER SPREADING
SOURCE:

SAND CREEK
SOURCE TYPE: SURFACE WATER
PRIORITY DATE:

MAY 01, 1899
TYPE OF HISTORICAL RIGHT: FILED

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE

CONSISTS OF DIRECT FLOW WATER SPREADING.

**VOLUME:** 

189.00 AF CLIMATIC AREA: 1 MAXIMUM ACRES: 126.00

DEDIOD OF HOL

PERIOD OF USE: APRIL 01 TO OCTOBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

\_\_\_\_\_\_

01 SWSWSW 33 07N 43E ROSEBUD

**DIVERSION DAM** 

PLACE OF USE FOR IRRIGATION:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 18.60 002 107.40 SWNW 04 06N 43E ROSEBUD

SW 04 06N 43E ROSEBUD

TOTAL 126.00

REMARKS:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/04/98: TYPE OF IRRIGATION, SOURCE, MEANS OF DIVERSION, PLACE OF USE, ACRES, VOLUME, PERIOD OF

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 122
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000925-00\*(CONTINUED)

REMARKS CONTINUED:

USE, PRIORITY DATE.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/14/90. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/10/92.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 123
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000926-00

- - -

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: MELLE JEAN D

2030 CANTERSVILLE RD
ROSEBUD MT 59347-9527
PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: WATER SPREADING
\* SOURCE:

UNNAMED TRIBUTARY OF SAND CREEK
SOURCE TYPE: SURFACE WATER
PRIORITY DATE:

MARCH 01, 1929
TYPE OF HISTORICAL RIGHT: FILED
\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

VOLUME:

532.00 AF

CLIMATIC AREA: 1
MAXIMUM ACRES: 354.70

PERIOD OF USE: APRIL 01 TO NOVEMBER 30

\_\_\_\_

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

LOT BER QTR SEC SEC TWT ROL COUNTT MEANS

01 NESWSW 27 07N 43E ROSEBUD DAM 02 S2NESW 28 07N 43E ROSEBUD DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NESWSW 27 07N 43E ROSEBUD

CAPACITY: 48.0 AC-FT DAM HEIGHT: 14 FT SURFACE AREA: 10.00 ACRES

<del>\_\_\_\_\_</del>

02 ONSTREAM S2NESW 28 07N 43E ROSEBUD

CAPACITY: 12.8 AC-FT DAM HEIGHT: 10 FT SURFACE AREA: 4.00 ACRES

\_\_\_\_\_

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

\* PLACE OF USE FOR IRRIGATION:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 124
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-000926-00\*(CONTINUED)

PLACE OF USE CONTINUED:

 001
 23.50
 W2SW 27 07N 43E ROSEBUD

 002
 144.40
 S2 28 07N 43E ROSEBUD

 003
 186.80
 33 07N 43E ROSEBUD

\_\_\_\_

TOTAL 354.70

REMARKS:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 02/04/98: TYPE OF IRRIGATION, POINT OF DIVERSION, MEANS OF DIVERSION, PLACE OF USE, ACRES, VOLUME, PERIOD OF USE, PRIORITY DATE, TYPE OF RIGHT.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/14/90. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/10/92.

\*

<sup>\*</sup> THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS

<sup>\*</sup> EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN \*

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 125
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-001153-00

# **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: HOLMES ERNEST W

001 NENE 19 05N 44E ROSEBUD REMARKS:	
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
01 ONSTREAM NENENE 19 05N 44E ROSEBUD 5 PLACE OF USE FOR STOCK:	
QTR SEC SEC TWP RGE COUNTY	
01 NENENE 19 05N 44E ROSEBUD DAM RESERVOIR:	
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS	
POINT OF DIVERSION AND MEANS OF DIVERSION:	
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: APRIL 01 TO OCTOBER 31	
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  VOLUME:	
DECEMBER 31, 1940 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:	
UNNAMED TRIBUTARY OF BUFFALO CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:	
SOURCE:	
157 THURLOW RD ROSEBUD MT 59347-9543 PURPOSE (USE): STOCK	
FORSYTH MT 00000 HOLMES MARK	
PO BOX 416	

12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 126 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

# BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-001153-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/12/88.

\*

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

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 127
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-001300-00

# IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: BALLARD GARY D

PO BOX 342

HYSHAM MT 59038

BALLARD SUE A

PO BOX 342

HYSHAM MT 59038 PURPOSE (USE): STOCK	
SOURCE:	
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:	
OCTOBER 31, 1954 TYPE OF HISTORICAL RIGHT: FILED FLOW RATE:	
30.00 GPM ( .07 CFS) * VOLUME:	
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: NOVEMBER 01 TO MARCH 31	
POINT OF DIVERSION:	
LOT BLK QTR SEC SEC TWP RGE COUNTY	
01 SWNWNW 05 05N 37E TREASURE * PLACE OF USE FOR STOCK:	
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 SWNWNW 05 05N 37E TREASURE REMARKS:	
NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/93.  NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/23/93.  ***********************************	
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *  * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *  **********************************	
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 128 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KI	

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-001300-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING

YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 129
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-001301-00

## IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: BALLARD GARY D PO BOX 342 HYSHAM MT 59038 SUE BALLARD PO BOX 342 MT HYSHAM 59038 PURPOSE (USE): STOCK SOURCE: WELL SOURCE TYPE: GROUNDWATER \* PRIORITY DATE: JUNE 30, 1951 TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE:

6.00 GPM
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 SESENE 31 06N 37E TREASURE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESENE 31 06N 37E TREASURE REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/93. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/23/93. ************************************

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE **PAGE** 130 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-001301-00\*(CONTINUED)

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT

PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 131 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-001302-00

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER.

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

D

OWNERS: BALLARD GARY PO BOX 342 59038 HYSHAM MT BALLARD SUE PO BOX 342 MT 59038 HYSHAM PURPOSE (USE): STOCK SOURCE: WELL SOURCE TYPE: GROUNDWATER \* PRIORITY DATE: JUNE 30, 1951 TYPE OF HISTORICAL RIGHT: FILED FLOW RATE: 6.00 GPM \* VOLUME:

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION:

# LOT BLK QTR SEC SEC TWP RGE COUNTY 01 SESENE 31 06N 37E TREASURE \* PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY 001 SESENE 31 06N 37E TREASURE REMARKS: NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/93.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/93.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/23/93.

\*

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

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 132
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-001302-00\*(CONTINUED)

\_ \_ \_ \_

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 133
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-001303-00

 $file: ///D / ... orn \% 20 and \% 20 Tongue \% 20 Rivers \% 2003\_1114 / Decree\_indexes \% 20 as \% 20 issued \% 20 in \% 20 txt \% 20 file \% 20 format/b42 KJ\_p1.txt [2/10/2010 10:57:55 AM]$ 

# **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

AVAILABILITY."  OWNERS: BALLARD GARY D
OWNERS: BALLARD GART D
PO BOX 342
HYSHAM MT 59038
BALLARD SUE A
PO BOX 342
HYSHAM MT 59038
PURPOSE (USE): STOCK
* SOURCE:
SPRING, TRIB OF SARPY CREEK
SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
DECEMBER 31, 1910
TYPE OF HISTORICAL RIGHT: FILED
* FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF
STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH
SYSTEM.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
PERIOD OF USE: APRIL 01 TO NOVEMBER 30
TERIOD OF USE. AT RIE OF TO NOVEMBER 30
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 N2SWSE 06 05N 37E TREASURE DIRECT FROM SOURCE
* PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/93.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 134
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-001303-00\*(CONTINUED)

**REMARKS CONTINUED:** 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/23/93.

\*

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

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 135
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-001304-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
OWNERS: BALLARD GARY D
PO BOX 342
HYSHAM MT 59038 BALLARD SUE A
BALLARD SUE A PO BOX 342
HYSHAM MT 59038
PURPOSE (USE): STOCK
SOURCE:
LININA MED TRIBLITA DV OE SA DDV CREEV
UNNAMED TRIBUTARY OF SARPY CREEK SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
TYPE OF HISTORICAL RIGHT: FILED
FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: APRIL 01 TO DECEMBER 04
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 E2SESW 06 05N 37E TREASURE DAM
RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONOTREAM EAGERW OF OFN 27E TREACHRE
01 ONSTREAM E2SESW 06 05N 37E TREASURE CAPACITY: 33.6 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 7.00 ACRES
<del></del>
THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN
ESTIMATED BY THE DNRC.  * PLACE OF USE FOR STOCK:
TEACE OF USE FOR STOCK.
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 136
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-001304-00\*(CONTINUED)

REMARKS CONTINUED: 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. W001304-00, W001324-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/93. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/23/93.

\*

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

\*

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

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

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 137
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-001305-00

# IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN O	THIS ABSTRACT MAY HAVE	CHANGES FROM YOUR WATER
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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: BALLARD GARY D PO BOX 342 HYSHAM MT 59038 BALLARD SUE PO BOX 342 MT HYSHAM 59038 PURPOSE (USE): STOCK \* SOURCE: UNNAMED TRIBUTARY OF SARPY CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1947** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. \* PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NWNWSE 05 05N 37E TREASURE DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NWNWSE 05 05N 37E TREASURE \* PLACE OF USE FOR STOCK:

ACRES

001 N2NWSE 05 05N 37E TREASURE

REMARKS:

\_\_\_\_

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 138
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-001305-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/93. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/23/93.

\*

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

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 139
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-001306-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER

COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: BALLARD GARY D

PO BOX 342

HYSHAM MT 59038 BALLARD SUE A

PO BOX 342

HYSHAM MT 59038

PURPOSE (USE): STOCK

SOURCE:

SARPY CREEK

SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1931

TYPE OF HISTORICAL RIGHT: USE

FLOW RATE:

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

\* VOLUME:

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 W2W2 05 05N 37E TREASURE DIRECT FROM SOURCE
02 E2E2 06 05N 37E TREASURE DIRECT FROM SOURCE
03 E2 31 06N 37E TREASURE DIRECT FROM SOURCE
04 W2W2 32 06N 37E TREASURE DIRECT FROM SOURCE

05 30 06N 37E TREASURE DIRECT FROM SOURCE

06 SWSW 29 06N 37E TREASURE DIRECT FROM SOURCE

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 W2W2 05 05N 37E TREASURE 002 E2E2 06 05N 37E TREASURE

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003 E2 31 06N 37E TREASURE 004 W2W2 32 06N 37E TREASURE 005 30 06N 37E TREASURE

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 140
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-001306-00\*(CONTINUED)

PLACE OF USE CONTINUED:

006 SWSW 29 06N 37E TREASURE

REMARKS:

\_\_\_\_

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/93. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/23/93.

\*

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

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 141
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-001307-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER

SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: BALLARD GARY D PO BOX 342 HYSHAM MT 59038 BALLARD SUE PO BOX 342 MT 59038 HYSHAM PURPOSE (USE): STOCK \* SOURCE: UNNAMED TRIBUTARY OF SARPY CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1943** TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: MARCH 01 TO DECEMBER 19 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SWSENW 32 06N 37E TREASURE DAM RESERVOIR: QTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SWSENW 32 06N 37E TREASURE \* PLACE OF USE FOR STOCK: ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY 001 SWSENW 32 06N 37E TREASURE **REMARKS**:

COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA

12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 142 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-001307-00\*(CONTINUED)

**REMARKS CONTINUED:** 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/93. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/23/93.

\*

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

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 143
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

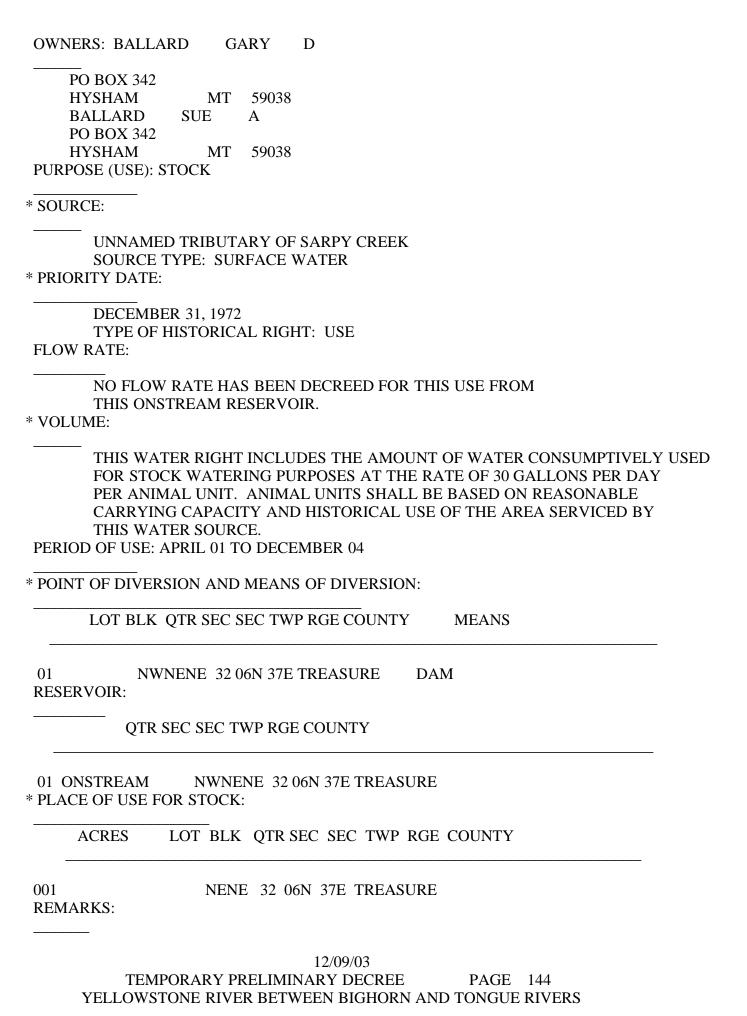
WATER\*RIGHT\*NUMBER\*42KJ-W-001308-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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



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# BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-001308-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/93. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/23/93.

\*

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

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 145
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-001309-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: BALLARD GARY D

PO BOX 342

HYSHAM MT 59038 BALLARD SUE A

PO BOX 342 HYSHAM MT 59038 PURPOSE (USE): STOCK
SOURCE:
WHITCOMB COULEE SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1946 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: APRIL 01 TO DECEMBER 04
* POINT OF DIVERSION AND MEANS OF DIVERSION:  LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWNWNW 06 05N 37E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWNWNW 06 05N 37E TREASURE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNWNW 06 05N 37E TREASURE 002 SWSWSW 31 06N 37E TREASURE REMARKS:
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 146 YELLOWSTONE RIVER RETWEEN RIGHORN AND TONGUE RIVERS

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-001309-00\*(CONTINUED)

BASIN 42KJ

# **REMARKS CONTINUED:**

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/93. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/23/93.

\*

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

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 147
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-001310-00

## **IMPORTANT NOTICE**

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: BALLARD MERLE G

PO BOX 2

FORSYTH MT 59327 BALLARD PEGGY A

907 5TH AVE S

LEWISTOWN MT 59457

PURPOSE (USE): STOCK

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: APRIL 01 TO DECEMBER 04  * POINT OF DIVERSION AND MEANS OF DIVERSION:  LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS  01 NWSWNE 23 08N 37E ROSEBUD DAM RESERVOIR:  QTR SEC SEC TWP RGE COUNTY  01 ONSTREAM NWSWNE 23 08N 37E ROSEBUD CAPACITY: 48.0 AC-FT DAM HEIGHT: 12 FT SURFACE AREA: 12.00 ACRES  THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC.  * PLACE OF USE FOR STOCK:  ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY  001 W2NE 23 08N 37E ROSEBUD  12/09/03  TEMPORARY PRELIMINARY DECREE PAGE 148 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM	* SOURCE:
TYPE OF HISTORICAL RIGHT: USE FLOW RATE:  NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:  THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: APRIL 01 TO DECEMBER 04  * POINT OF DIVERSION AND MEANS OF DIVERSION:  LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS  01 NWSWNE 23 08N 37E ROSEBUD DAM RESERVOIR:  QTR SEC SEC TWP RGE COUNTY  01 ONSTREAM NWSWNE 23 08N 37E ROSEBUD CAPACITY: 48.0 AC-FT DAM HEIGHT: 12 FT SURFACE AREA: 12.00 ACRES  THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC.  * PLACE OF USE FOR STOCK:  ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY  001 W2NE 23 08N 37E ROSEBUD  12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 148 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM	SOURCE TYPE: SURFACE WATER
THIS ONSTREAM RESERVOIR.  * VOLUME:  THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: APRIL 01 TO DECEMBER 04  * POINT OF DIVERSION AND MEANS OF DIVERSION:  LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS  01 NWSWNE 23 08N 37E ROSEBUD DAM RESERVOIR:  QTR SEC SEC TWP RGE COUNTY  01 ONSTREAM NWSWNE 23 08N 37E ROSEBUD CAPACITY: 48.0 AC-FT DAM HEIGHT: 12 FT SURFACE AREA: 12.00 ACRES  THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC.  * PLACE OF USE FOR STOCK:  ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY  001 W2NE 23 08N 37E ROSEBUD  12/09/03  TEMPORARY PRELIMINARY DECREE PAGE 148  YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ  ABSTRACT OF WATER RIGHT CLAIM	TYPE OF HISTORICAL RIGHT: USE
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: APRIL 01 TO DECEMBER 04  * POINT OF DIVERSION AND MEANS OF DIVERSION:  LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS  01 NWSWNE 23 08N 37E ROSEBUD DAM RESERVOIR:  QTR SEC SEC TWP RGE COUNTY  01 ONSTREAM NWSWNE 23 08N 37E ROSEBUD CAPACITY: 48.0 AC-FT DAM HEIGHT: 12 FT SURFACE AREA: 12.00 ACRES  THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC.  * PLACE OF USE FOR STOCK:  ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY  001 W2NE 23 08N 37E ROSEBUD  12/09/03  TEMPORARY PRELIMINARY DECREE PAGE 148 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM	
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS  01 NWSWNE 23 08N 37E ROSEBUD DAM RESERVOIR:  QTR SEC SEC TWP RGE COUNTY  01 ONSTREAM NWSWNE 23 08N 37E ROSEBUD CAPACITY: 48.0 AC-FT DAM HEIGHT: 12 FT SURFACE AREA: 12.00 ACRES  THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC.  * PLACE OF USE FOR STOCK:  ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY  001 W2NE 23 08N 37E ROSEBUD  12/09/03  TEMPORARY PRELIMINARY DECREE PAGE 148 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM	FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
01 NWSWNE 23 08N 37E ROSEBUD DAM RESERVOIR:  QTR SEC SEC TWP RGE COUNTY  01 ONSTREAM NWSWNE 23 08N 37E ROSEBUD CAPACITY: 48.0 AC-FT DAM HEIGHT: 12 FT SURFACE AREA: 12.00 ACRES  THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC.  * PLACE OF USE FOR STOCK:  ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY  001 W2NE 23 08N 37E ROSEBUD  12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 148 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM	* POINT OF DIVERSION AND MEANS OF DIVERSION:
QTR SEC SEC TWP RGE COUNTY  O1 ONSTREAM NWSWNE 23 08N 37E ROSEBUD CAPACITY: 48.0 AC-FT DAM HEIGHT: 12 FT SURFACE AREA: 12.00 ACRES  THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC. * PLACE OF USE FOR STOCK:  ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY  001 W2NE 23 08N 37E ROSEBUD  12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 148 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM	LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 ONSTREAM NWSWNE 23 08N 37E ROSEBUD CAPACITY: 48.0 AC-FT DAM HEIGHT: 12 FT SURFACE AREA: 12.00 ACRES  THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC.  * PLACE OF USE FOR STOCK:  ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY  001 W2NE 23 08N 37E ROSEBUD  12/09/03  TEMPORARY PRELIMINARY DECREE PAGE 148 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM	
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* PLACE OF USE FOR STOCK:  ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY  001 W2NE 23 08N 37E ROSEBUD  12/09/03  TEMPORARY PRELIMINARY DECREE PAGE 148 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM	
001 W2NE 23 08N 37E ROSEBUD  12/09/03  TEMPORARY PRELIMINARY DECREE PAGE 148 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM	
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 148 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM	ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
TEMPORARY PRELIMINARY DECREE PAGE 148 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM	001 W2NE 23 08N 37E ROSEBUD
	TEMPORARY PRELIMINARY DECREE PAGE 148 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

REMARKS CONTINUED:

**REMARKS:** 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/92. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/25/93.

\*

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

\*

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 149
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-001311-00

**IMPORTANT NOTICE** 

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: BALLARD MERLE G

PO BOX 2

FORSYTH MT 59327 BALLARD PEGGY A

907 5TH AVE S

LEWISTOWN MT 59457

PURPOSE (USE): STOCK

 $file: ///D / ... orn \% 20 and \% 20 Tongue \% 20 Rivers \% 2003\_1114 / Decree\_indexes \% 20 as \% 20 issued \% 20 in \% 20 txt \% 20 file \% 20 format/b42 KJ\_p1.txt [2/10/2010 10:57:55 AM]$ 

* SOURCI	E:
	UNNAMED TRIBUTARY OF HORSE CREEK SOURCE TYPE: SURFACE WATER Y DATE:
	SEPTEMBER 19, 1945 TYPE OF HISTORICAL RIGHT: USE ATE:
	 NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. E:
	THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  OF USE: APRIL 15 TO NOVEMBER 19
* POINT (	OF DIVERSION AND MEANS OF DIVERSION:
I	LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 RESERV	NESWNE 26 08N 37E ROSEBUD DAM OIR:
	QTR SEC SEC TWP RGE COUNTY
01 ONS	TREAM NESWNE 26 08N 37E ROSEBUD OF USE FOR STOCK:
AC	CRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 REMARI	NESWNE 26 08N 37E ROSEBUD KS:
Y	12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 150 ELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-001311-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/92. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/25/93. \*

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

\*

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 151
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-001312-00

IMPORTANT NOTICE

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: BALLARD MERLE G

PO BOX 2
FORSYTH MT 59327
BALLARD PEGGY A
907 5TH AVE S
LEWISTOWN MT 59457
PURPOSE (USE): STOCK

SOURCE:

HORSE CREEK

SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

SEPTEMBER 19, 1946 TYPE OF HISTORICAL RIGHT: USE	
* FLOW RATE:	
NO FLOW RATE HAS BEEN DECREED FOR THIS USE THIS ONSTREAM RESERVOIR.	FROM
* VOLUME:	
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER STOCK WATERING PURPOSES AT THE RATE OF PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASE CARRYING CAPACITY AND HISTORICAL USE OF THE THIS WATER SOURCE.  PERIOD OF USE: APRIL 01 TO NOVEMBER 04	30 GALLONS PER DAY D ON REASONABLE
* POINT OF DIVERSION AND MEANS OF DIVERSION:	
LOT BLK QTR SEC SEC TWP RGE COUNTY MEA	NS
01 N2SESE 07 08N 37E ROSEBUD DAM RESERVOIR:	
QTR SEC SEC TWP RGE COUNTY	
01 ONSTREAM N2SESE 07 08N 37E ROSEBUD CAPACITY: 32.0 AC-FT DAM HEIGHT: 12 FT SURFACE	AREA: 8.00 ACRES
THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAV ESTIMATED BY THE DNRC. * PLACE OF USE FOR STOCK:	E BEEN
ACRES LOT BLK QTR SEC SEC TWP RGE COUN	TY
001 SE 07 08N 37E ROSEBUD	
12/09/03 TEMPORARY PRELIMINARY DECREE PA YELLOWSTONE RIVER BETWEEN BIGHORN AND TONG BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM	GE 152 GUE RIVERS
WATER*RIGHT*NUMBER*42KJ-W-001312-00*(CONTINUED)	
REMARKS CONTINUED: REMARKS:	
NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/92.  NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/25/93.	

\*

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

\*

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 153
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-001313-00

IMPORTANT NOTICE

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNER	S: BALLARD	MERLE	G
PO	BOX 2		
FO	RSYTH	MT 59327	
<b>PURPOS</b>	SE (USE): STOCE	K	
* SOURC			F HORSE CREEK WATER
	DECEMBER 31.	1907	

TYPE OF HISTORICAL RIGHT: USE

FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: APRIL 01 TO DECEMBER 04
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENENW 24 08N 37E ROSEBUD DAM RESERVOIR:  QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENENW 24 08N 37E ROSEBUD  * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 E2NENW 24 08N 37E ROSEBUD REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/92.
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 154 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-001313-00\*(CONTINUED)

**REMARKS CONTINUED:** 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/25/93.

\*

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

\*

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

TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 155
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-001314-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: BALLARD MERLE G PO BOX 2 FORSYTH MT 59327 BALLARD PEGGY A 907 5TH AVE S LEWISTOWN MT 59457 PURPOSE (USE): STOCK SOURCE: WELL SOURCE TYPE: GROUNDWATER \* PRIORITY DATE: **DECEMBER 31, 1916** TYPE OF HISTORICAL RIGHT: FILED FLOW RATE: 20.00 GPM (.04 CFS) \* VOLUME:

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

01 NESWSW 12 08N 37E ROSEBUD \* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NESWSW 12 08N 37E ROSEBUD

**REMARKS**:

\_\_\_\_

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/92. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/25/93.

\*

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

\*

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 156
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-001314-00\*(CONTINUED)

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

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

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

#### 12/09/03

#### TEMPORARY PRELIMINARY DECREE PAGE 157 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-001315-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY."
OWNERS: BALLARD MERLE G
PO BOX 2
FORSYTH MT 59327
BALLARD PEGGY A
907 5TH AVE S
LEWISTOWN MT 59457
PURPOSE (USE): STOCK
SOURCE:
WELL SOURCE TYPE: CROUNDWATER
SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
* PRIORIT I DATE:
DECEMBER 31, 1972
TYPE OF HISTORICAL RIGHT: FILED
FLOW RATE:
120 // 14112.
3.00 GPM
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: APRIL 01 TO NOVEMBER 30
POINT OF DIVERSION:
LOT DLV. OTD SEC SEC TWD DCE COLINTY
LOT BLK QTR SEC SEC TWP RGE COUNTY

VNWNW 12 08N 37E ROSEBUD FOR STOCK:
LOT BLK QTR SEC SEC TWP RGE COUNTY
NWNWNW 12 08N 37E ROSEBUD

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/92. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/25/93.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 158
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-001315-00\*(CONTINUED)

### REMARKS CONTINUED:

\*

- \* THE FOLLOWING ISSUES 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. THE DATE OF \*FILING THE FORM GW2. NOTICE OF COMPLETION OF \*

GROUNDWATER APPROPRIATION, IS MARCH 20, 1973.

\* \*

\*

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

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

12/09/03 TEMPORARY PRELIMINARY DECREE

PAGE 159

## YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

#### ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-001316-00

- - -

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

AVAILABILITY."
OWNERS: BALLARD MERLE G
PO BOX 2 FORSYTH MT 59327 BALLARD PEGGY A 907 5TH AVE S
LEWISTOWN MT 59457 PURPOSE (USE): STOCK
SOURCE:
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
DECEMBER 31, 1972 TYPE OF HISTORICAL RIGHT: FILED FLOW RATE:
15.00 GPM ( .03 CFS) * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NESWSW 12 08N 37E ROSEBUD * PLACE OF USE FOR STOCK:

ACRES

001 NESWSW 12 08N 37E ROSEBUD

REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/92. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/25/93.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 160
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-001316-00\*(CONTINUED)

### REMARKS CONTINUED:

\*

\*

\*

- \* THE FOLLOWING ISSUES 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. THE DATE OF

FILING THE FORM GW2, NOTICE OF COMPLETION OF

GROUNDWATER APPROPRIATION, IS MARCH 20, 1973.

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\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 161
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: BALLARD MERLE G

PO BOX 2
FORSYTH MT 59327
BALLARD PEGGY A
907 5TH AVE S
LEWISTOWN MT 59457

PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF HORSE CREEK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1908
TYPE OF HISTORICAL RIGHT: FILED

\* FLOW RATE:

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

\* VOLUME:

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

PERIOD OF USE: MARCH 01 TO SEPTEMBER 04

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SWNW 13 08N 37E ROSEBUD DIRECT FROM SOURCE

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 SWNW 13 08N 37E ROSEBUD

REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/92.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 162
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-001317-00\*(CONTINUED)

**REMARKS CONTINUED:** 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/25/93.

\*

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

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 163
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-001318-00

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**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA

SUPREME COURT.
OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY."
OWNERS: BALLARD MERLE G
PO BOX 2
FORSYTH MT 59327
BALLARD PEGGY A
907 5TH AVE S
LEWISTOWN MT 59457
PURPOSE (USE): STOCK
SOURCE:
SOCKEL.
WELL
SOURCE TYPE: GROUNDWATER
* PRIORITY DATE:
JANUARY 31, 1955
TYPE OF HISTORICAL RIGHT: FILED
FLOW RATE:
TLOW RAIL.
4.00 GPM
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: APRIL 01 TO DECEMBER 04
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NESWNE 19 08N 38E ROSEBUD
01 NESWNE 19 08N 38E ROSEBUD * PLACE OF USE FOR STOCK:
* PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESWNE 19 08N 38E ROSEBUD
REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/92.
NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/25/93.
******************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

#### 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 164 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-001318-00\*(CONTINUED)

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 165
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

MATER PROGRESS AND ADERS AND ADDRESS AND A

WATER\*RIGHT\*NUMBER\*42KJ-W-001319-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: BALLARD MERLE G

PO BOX 2

FORSYTH MT 59327

BALLARD PEGGY A

907 5TH AVE S

LEWISTOWN MT 59457

PURPOSE (USE): STOCK

SOURCE:
WELL WELL
SOURCE TYPE: GROUNDWATER
* PRIORITY DATE:
JANUARY 31, 1955
TYPE OF HISTORICAL RIGHT: FILED
FLOW RATE:
20.00 GPM ( .04 CFS)
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: APRIL 01 TO DECEMBER 04
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NWNENW 24 08N 37E ROSEBUD * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNENW 24 08N 37E ROSEBUD REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/92.
NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/25/93.
**************************************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. ************************************
12/09/03
TEMPORARY PRELIMINARY DECREE PAGE 166

TEMPORARY PRELIMINARY DECREE PAGE 166
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-001319-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT

TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 167
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-001320-00

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#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: BALLARD MERLE G PO BOX 2 FORSYTH MT 59327 BALLARD PEGGY A 907 5TH AVE S LEWISTOWN MT 59457 PURPOSE (USE): STOCK \* SOURCE: UNNAMED TRIBUTARY OF HORSE CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31. 1911** TYPE OF HISTORICAL RIGHT: USE FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: APRIL 01 TO NOVEMBER 19 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** 01 SESWSW 12 08N 37E ROSEBUD DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY SESWSW 12 08N 37E ROSEBUD 01 ONSTREAM \* PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY 001 SESWSW 12 08N 37E ROSEBUD **REMARKS**: 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 168 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-001320-00\*(CONTINUED) **REMARKS CONTINUED:** NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/92. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/25/93. \* \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

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

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 169 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-001321-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS:	BALLAR	D (	ЗA	RY	D
PO B0	OX 342				
HYSI	IAM	MT	1	59038	
BALL	LARD	SUE		A	
PO Bo	OX 342				
HYSI	HAM	MT	•	59038	
PURPOSE	(USE): DO	OMESTI	C		
SOURCE:					
	ELL DURCE T' DATE:	YPE: GI	RO	UNDW	ATER
	 JNE 30, 19	)51			
			٦A	I. RIGH	IT: FILED
FLOW RA		1010111	J. 1	2 11101	11222
	5.00 GPM	1			
VOLUME:					
<del></del>	2.00 AF				
(N	UMBER (	OF HOU	SE	HOLDS	S: 1)
3 5 4 3 5 5 5 5 5 5	f + GD EG				•

.50

MAXIMUM ACRES:

PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION:					
01 SESENE 31 06N 37E TREASURE PLACE OF USE FOR DOMESTIC:					
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	_				
001 .50 SESENE 31 06N 37E TREASURE					
TOTAL .50 REMARKS:					
NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/93.  NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/23/93.  ***********************************					
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  * DATA, OR ISSUES TO REPORT TO THE WATER COURT.	*				

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 170
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-001321-00\*(CONTINUED)

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

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

12/09/03

#### TEMPORARY PRELIMINARY DECREE PAGE 171 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-001322-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

DOCUMENT E OF

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE
ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF TEMPORARY PRELIMINARY DECREE OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF TEMPORARY PRELIMINARY DECREE OF TEMPORARY PRELIMINARY PR
AVAILABILITY."
OWNERS: BALLARD GARY D
PO BOX 342
HYSHAM MT 59038
BALLARD SUE A
PO BOX 342
HYSHAM MT 59038
* PURPOSE (USE): IRRIGATION
TOM OBE (CBE). IMMONTION
TYPE OF IRRIGATION SYSTEM: WATER SPREADING
* SOURCE:
~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~
BUTTE CREEK
SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
APRIL 01, 1910
TYPE OF HISTORICAL RIGHT: FILED
* FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE
CONSISTS OF DIRECT FLOW WATER SPREADING.
VOLUME:
120.00 AF
CLIMATIC AREA: 1
MAXIMUM ACRES: 80.00
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
TERIOD OF USE. JANUART OF TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSENE 31 06N 37E TREASURE DIKE

#### PLACE OF USE FOR IRRIGATION:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 002 003	51.00 25.00 2.00	E2NE 31 06N 37E TREASURE SESE 30 06N 37E TREASURE SWSWSW 29 06N 37E TREASURE	
004	2.00	NWNWNW 32 06N 37E TREASURE	
TOT. REM	AL 80.00 ARKS:		

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 172 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-001322-00\*(CONTINUED)

## REMARKS CONTINUED:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLE-MENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS OF THE CLAIMANT'S TOTAL 107.20 ACRES. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. W001322-00, W001326-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/93. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/23/93.

\*

- THE FOLLOWING 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. 179-11, DATED 08/09/79, APPEARS TO INDICATE 64.00 ACRES IRRIGATED. A

DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

THE TREASURE COUNTY WATER RESOURCES SURVEY (1951) \* APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

\* \* THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF

SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING

RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION

\* OF MAXIMUM ACRES ISSUE.
\*
...

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 173
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-001323-00

- - -

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

HYSHAM MT 59038 BALLARD SUE A PO BOX 342

HYSHAM MT 59038 PURPOSE (USE): IRRIGATION

\_\_\_\_\_

TYPE OF IRRIGATION SYSTEM: WATER SPREADING SOURCE:

SARPY CREEK

SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: JUNE 02, 1919 TYPE OF HISTORICAL RIGHT: FILED \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. \* VOLUME: 277.15 AF **CLIMATIC AREA: 1** THE VOLUME OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 2.3 ACRE-FEET PER ACRE GUIDELINE FOR WATER SPREADING. THE VOLUME MAY BE CONTESTED BY PROPER OBJECTION. MAXIMUM ACRES: 120.50 PERIOD OF USE: MARCH 20 TO AUGUST 19 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NESWNW 05 05N 37E TREASURE DIKE 02 S2NWNW 05 05N 37E TREASURE DIKE 03 NWNWNW 05 05N 37E TREASURE DIKE 04 NWNWNW 05 05N 37E TREASURE DIKE SESESE 31 06N 37E TREASURE DIKE 05 S2NESE 31 06N 37E TREASURE 06 DIKE NENESE 31 06N 37E TREASURE 07DIKE \* PLACE OF USE FOR IRRIGATION: LOT BLK QTR SEC SEC TWP RGE COUNTY ACRES 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 174 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-001323-00\*(CONTINUED)

			_		_	
PL/	<b>ACE</b>	OF	USE	CON	ITINI	JED:

001	42.10	W2SW 32 06N 37E TREASURE
002	42.50	E2SE 31 06N 37E TREASURE
003	27.30	W2NW 05 05N 37E TREASURE
004	3.00	NENE 06 05N 37E TREASURE
005	5.60	S2SENE 31 06N 37E TREASURE

TOTAL 120.50

**REMARKS:** 

\* \*

\*

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/93. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/23/93.

\*

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

\* THE TREASURE COUNTY WATER RESOURCES SURVEY (1951) \*

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 175 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-001324-00

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER.

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: BALLARD GARY D PO BOX 342 MT 59038 HYSHAM BALLARD SUE PO BOX 342 HYSHAM MT 59038 \* PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: FLOOD SOURCE: UNNAMED TRIBUTARY OF SARPY CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **SEPTEMBER 15, 1937** TYPE OF HISTORICAL RIGHT: FILED \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. VOLUME: 100.00 AF **CLIMATIC AREA: 1** MAXIMUM ACRES: 30.40 PERIOD OF USE: MAY 15 TO AUGUST 19 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 E2SESW 06 05N 37E TREASURE DAM RESERVOIR: QTR SEC SEC TWP RGE COUNTY 01 ONSTREAM E2SESW 06 05N 37E TREASURE CAPACITY: 33.6 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 7.00 ACRES THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC. PLACE OF USE FOR IRRIGATION: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

#### 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 176 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-001324-00\*(CONTINUED)

PLACE OF USE CONTINUED:

001 6.70 E2SWSE 06 05N 37E TREASURE

002 23.70 SESE 06 05N 37E TREASURE

TOTAL 30.40

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. W001304-00, W001324-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/93. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/23/93.

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 177
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: BALLARD GARY D PO BOX 342 MT 59038 HYSHAM BALLARD SUE PO BOX 342 HYSHAM MT 59038 \* PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: SPRINKLER/FLOOD SOURCE: SARPY CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1952** TYPE OF HISTORICAL RIGHT: USE FLOW RATE: 1.000.00 GPM \* VOLUME: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. **CLIMATIC AREA: 1** MAXIMUM ACRES: 90.10 PERIOD OF USE: MARCH 20 TO AUGUST 19 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NWSWSW 05 05N 37E TREASURE **PUMP** 

POINT OF DIVERSION IS MOVEABLE ALL ALONG SOURCE WITHIN LEGAL LAND DESCRIPTION.

PLACE OF USE FOR IRRIGATION:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001	53.50	W2SW 05 05N 37E TREASURE
002	18.00	W2E2SW 05 05N 37E TREASURE
003	11.60	S2SWNW 05 05N 37E TREASURE
004	5.00	E2SENE 06 05N 37E TREASURE
005	2.00	SENESE 06 05N 37E TREASURE
TOT	AL 90.10	

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 178
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-001325-00\*(CONTINUED)

REMARKS CONTINUED: REMARKS:

\*

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/93. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/23/93.

\*

\* THE PALLANDIA IGGIEG WERE INDIVIDUED BY THE DAIR OF THE

\* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS \*

\* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN \*

UNRESOLVED IF NO OBJECTIONS ARE FILED.

\* \* \*

THE FLOW RATE HAS NOT BEEN EXAMINED AS NO QUANTIFIED

\* FLOW RATE WAS CLAIMED. \*

\* \* \*

\*

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

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

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

#### 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 179 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-001326-00

IMPORTANT NOTICE

MAXIMUM ACRES: 107.20

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: BALLARD GARY D PO BOX 342 MT HYSHAM 59038 BALLARD SUE A PO BOX 342 MT HYSHAM 59038 \* PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: WATER SPREADING SOURCE: SARPY CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1948** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. \* VOLUME: 246.56 AF **CLIMATIC AREA: 1** THE VOLUME OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 2.3 ACRE-FEET PER ACRE GUIDELINE FOR WATER SPREADING. THE VOLUME MAY BE CONTESTED BY PROPER OBJECTION.

 $file: ///Dl/...orn \% 20 and \% 20 Tongue \% 20 Rivers \% 2003\_1114/Decree\_indexes \% 20 as \% 20 issued \% 20 in \% 20 txt \% 20 file \% 20 format/b42 KJ\_p1.txt [2/10/2010 10:57:55 AM]$ 

\_\_\_\_\_

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SWSENE 31 06N 37E TREASURE DIKE PLACE OF USE FOR IRRIGATION:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
001	22.00	W2NW 32 06N 37E TREASURE	
002	56.30	E2NE 31 06N 37E TREASURE	
003	2.50	SWSWSW 29 06N 37E TREASURE	
004	26.40	SESE 30 06N 37E TREASURE	
TOT	AL 107.20		

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 180
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-001326-00\*(CONTINUED)

REMARKS CONTINUED: REMARKS:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS OF THE CLAIMANT'S TOTAL 107.20 ACRES. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. W001322-00, W001326-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/93. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/23/93.

- \* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
- \* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

\* UNRESOLVED IF NO OBJECTIONS ARE FILED.

•

\* THE TREASURE COUNTY WATER RESOURCES SURVEY (1951)

\* ADDEADS TO INDICATE 0.00 ACRES INDICATED. \*

APPEARS TO INDICATE 0.00 ACRES IRRIGATED.

- \* THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF
- \* SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING
- \* RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.

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

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 181 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-001327-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: BALLARD **MERLE** G

PO BOX 2 FORSYTH MT 59327 PEGGY BALLARD 907 5TH AVE S

MT 59457 LEWISTOWN

PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: WATER SPREADING

\* SOURCE:

HORSE CREEK
SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1947
TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE
CONSISTS OF DIRECT FLOW WATER SPREADING.

\* VOLUME:

193.20 AF

CLIMATIC AREA: 1

THE VOLUME OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 2.3 ACRE-FEET PER ACRE GUIDELINE FOR WATER SPREADING. THE VOLUME MAY BE CONTESTED BY PROPER OBJECTION.

MAXIMUM ACRES: 84.00

PERIOD OF USE: MARCH 20 TO AUGUST 24

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NENENE 22 08N 37E ROSEBUD DIKE 02 NESWNW 23 08N 37E ROSEBUD DIKE SESWNW 23 08N 37E ROSEBUD 03 DIKE SWSENW 23 08N 37E ROSEBUD 04 DIKE NENESW 23 08N 37E ROSEBUD 05 DIKE 06 NWNWSE 23 08N 37E ROSEBUD DIKE 07 NENWSE 23 08N 37E ROSEBUD DIKE 08 SENWSE 23 08N 37E ROSEBUD DIKE SWNESE 23 08N 37E ROSEBUD 09 DIKE 10 SENESE 23 08N 37E ROSEBUD DIKE NESESE 23 08N 37E ROSEBUD 11 DIKE

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 182
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-001327-00\*(CONTINUED)

PLACE OF USE CONTINUED:

\* PLACE OF USE FOR IRRIGATION:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 10.00 E2NENE 22 08N 37E ROSEBUD

002	3.00	SENWNW 23 08N 37E ROSEBUD
003	17.00	S2NW 23 08N 37E ROSEBUD
004	7.00	NESW 23 08N 37E ROSEBUD
005	47.00	SE 23 08N 37E ROSEBUD

TOTAL 84.00 REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/92. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/25/93.

\*

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

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 183
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-001328-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: BALLARD MERLE G

 $file: ///D / ... orn \% 20 and \% 20 Tongue \% 20 Rivers \% 2003\_1114 / Decree\_indexes \% 20 as \% 20 issued \% 20 in \% 20 txt \% 20 file \% 20 format/b42 KJ\_p1.txt [2/10/2010 10:57:55 AM]$ 

PO BOX 2 MT 59327 FORSYTH BALLARD PEGGY A 907 5TH AVE S LEWISTOWN MT 59457 PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: WATER SPREADING \* SOURCE: UNNAMED TRIBUTARY OF HORSE CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: JULY 25, 1902 TYPE OF HISTORICAL RIGHT: FILED \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. VOLUME: 240.00 AF **CLIMATIC AREA: 1** MAXIMUM ACRES: 160.00 PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SENENW 24 08N 37E ROSEBUD DIKE PLACE OF USE FOR IRRIGATION: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES NENW 24 08N 37E ROSEBUD 001 40.00 002 003 40.00 SENW 24 08N 37E ROSEBUD NESW 24 08N 37E ROSEBUD 40.00 NWSE 24 08N 37E ROSEBUD 004 40.00 TOTAL 160.00 **REMARKS:** 

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 184
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-001328-00\*(CONTINUED)

## REMARKS CONTINUED:

## NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/23/92. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/25/93.

\*

\* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS

\* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

\* UNDESCRIPTIONS ARE FILED.

\* UNRESOLVED IF NO OBJECTIONS ARE FILED.

\* \*

\* USDA AERIAL PHOTOGRAPH NO. 278-193, DATED 09/17/79, \* APPEARS TO INDICATE 0.00 ACRES IRRIGATED. \*

\* THE ROSEBUD COUNTY WATER RESOURCES SURVEY (1948)

\* APPEARS TO INDICATE 0.00 ACRES IRRIGATED \*

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 185
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-002306-00

IMPORTANT NOTICE
YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING

THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: PV RANCH CO LLC

% THE KROENKE GROUP 1001 CHERRY STREET CENTER #308 COLUMBIA MO 65201

\* PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: WATER SPREADING

\* SOURCE:

**MUGGINS CREEK** 

SOURCE TYPE: SURFACE WATER

POINT OF DIVERSION NO. 3 IS ON MCCONKEY CREEK.

\* PRIORITY DATE:

JULY 28, 1911

TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING.

VOLUME:

511.30 AF

CLIMATIC AREA: 1 MAXIMUM ACRES: 340.90

\* PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

 01
 SWSW 11 07N 34E TREASURE
 DIKE

 02
 E2 10 07N 34E TREASURE
 DIKE

 03
 S2SW 02 07N 34E TREASURE
 DIKE

 04
 03 07N 34E TREASURE
 DIKE

 05
 W2 34 08N 34E TREASURE
 DIKE

 06
 NE 33 08N 34E TREASURE
 DIKE

\* PLACE OF USE FOR IRRIGATION:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 4.00 SWSW 11 07N 34E TREASURE 002 84.80 E2 10 07N 34E TREASURE 003 147.30 S2 02 07N 34E TREASURE 004 77.40 W2 34 08N 34E TREASURE 005 27.40 NE 33 08N 34E TREASURE TOTAL 340.90

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 186
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-002306-00\*(CONTINUED)

REMARKS CONTINUED: REMARKS:

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\*

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/11/95: POINT OF DIVERSION, PLACE OF USE, MAXIMUM ACRES, VOLUME, PERIOD OF USE.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/06/95. WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/10/03.

\*

\* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS

\* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN \*

\* UNRESOLVED IF NO OBJECTIONS ARE FILED.

>

IT APPEARS MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

A REQUEST FOR AUTHORIZATION TO CREATE AN IMPLIED CLAIM

HAS BEEN SENT TO THE WATER COURT.

THE TREASURE COUNTY WATER RESOURCES SURVEY (1948)

APPEARS TO INDICATE 177.00 ACRES IRRIGATED. A

DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE. \*

\*

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION

OF MAXIMUM ACRES ISSUE.

\*

\*

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE

DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 187 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-002982-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: COLE, NORRIS E INC

7 COLE LN

FORSYTH MT 59327

PURPOSE (USE): STOCK

SOURCE:

UNNAMED TRIBUTARY OF YELLOWSTONE RIVER SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1940

TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

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

PERIOD OF USE: APRIL 15 TO OCTOBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS	
01 SWNESW 30 06N 39E ROSEBUD DAM RESERVOIR:	
QTR SEC SEC TWP RGE COUNTY	
01 ONSTREAM SWNESW 30 06N 39E ROSEBUD * PLACE OF USE FOR STOCK:	
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 SWNESW 30 06N 39E ROSEBUD ************************************	
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  * DATA, OR ISSUES TO REPORT TO THE WATER COURT.  ***********************************	*

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 188
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-002982-00\*(CONTINUED)

- - - -

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 189
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-002983-00

**IMPORTANT NOTICE** YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUM ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
OWNERS: COLE, NORRIS E INC
7 COLE LN FORSYTH MT 59327 PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF WYANT COULEE SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1939 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: APRIL 15 TO OCTOBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESWSE 31 06N 39E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SESWSE 31 06N 39E ROSEBUD * PLACE OF USE FOR STOCK:

 $file: ///D/...orn \% 20 and \% 20 Tongue \% 20 Rivers \% 2003\_1114/Decree\_indexes \% 20 as \% 20 is sued \% 20 in \% 20 txt \% 20 file \% 20 format/b42 KJ\_p1.txt [2/10/2010 10:57:55 AM]$ 

ACRES

001 SESWSE 31 06N 39E ROSEBUD

\*

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

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 190
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-002983-00\*(CONTINUED)

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 191
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-002984-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: ICOPINI	BRENT
PO BOX 92 HYSHAM ICOPINI BREN	MT 59038 NDA
PO BOX 92 HYSHAM PURPOSE (USE): STOCI	MT 59038 K
* SOURCE:	
•	OF SARPY CREEK : GROUNDWATER
AUGUST 26, 19 TYPE OF HISTO FLOW RATE:	71 ORICAL RIGHT: FILED
7.00 GPM * VOLUME:	
FOR STOCK W. PER ANIMAL U CARRYING CA THIS WATER S	RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED ATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY JNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE PACITY AND HISTORICAL USE OF THE AREA SERVICED BY OURCE. ARY 01 TO DECEMBER 31
* POINT OF DIVERSION	AND MEANS OF DIVERSION:
LOT BLK QTR	SEC SEC TWP RGE COUNTY MEANS
01 NWNWS' * PLACE OF USE FOR ST	W 19 06N 37E TREASURE DEVELOPED SPRING FOCK:
ACRES LOT	BLK QTR SEC SEC TWP RGE COUNTY
001 NREMARKS:	NWNWSW 19 06N 37E TREASURE
	RIGHT TRANSFER RECEIVED 02/13/89.
DATA, OR ISSUES TO	ΠΟΝ OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  REPORT TO THE WATER COURT.  ***********************************
	12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 192 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

# ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-002984-00\*(CONTINUED)

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 193
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-003037-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: VALDEZ, ROY & BEVERLY TRUST

% ROY, JR AND BEVERLY R VALDEZ HC 36 BOX 350 SAINT XAVIER MT 59075 PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF ARMELLS CREEK, EAST FORK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

**DECEMBER 31, 1956** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE. OR FROM A DITCH SYSTEM. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: MARCH 01 TO DECEMBER 04 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY **MEANS** DIRECT FROM SOURCE SESESW 27 03N 41E ROSEBUD \* PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY 001 SESESW 27 03N 41E ROSEBUD **REMARKS**:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/18/98. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/25/99.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 194
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003037-00\*(CONTINUED)

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

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 195 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003038-00

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# **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

\* SOURCE:

UNNAMED TRIBUTARY OF ARMELLS CREEK, EAST FORK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1949 TYPE OF HISTORICAL RIGHT: USE

FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

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

THIS WATER SOURCE.
PERIOD OF USE: MARCH 01 TO DECEMBER 04
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWNWSE 27 03N 41E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWNWSE 27 03N 41E ROSEBUD * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 W2NWSE 27 03N 41E ROSEBUD REMARKS:

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 196
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003038-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/18/98. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/25/99.

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

\*

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO

# 12/09/03

#### TEMPORARY PRELIMINARY DECREE PAGE 197 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-003041-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

AVAILABILITY." OWNERS: VALDEZ, ROY & BEVERLY TRUST % ROY, JR AND BEVERLY R VALDEZ HC 36 BOX 350 SAINT XAVIER MT 59075 PURPOSE (USE): STOCK SOURCE: WELL SOURCE TYPE: GROUNDWATER PRIORITY DATE: JUNE 23, 1967 TYPE OF HISTORICAL RIGHT: FILED FLOW RATE: 3.00 GPM \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY

	ACRES	LOT BLK	QTR SEC SEC TWP RGE COUNTY
001 REM	IARKS:	SENESV	W 26 03N 41E ROSEBUD
N :**** THI	OTICE OF V ********* E FOLLOWII	WATER RIGHT *********** NG ISSUES WE	TRANSFER RECEIVED 06/18/98. TRANSFER RECEIVED 08/25/99. ***********************************
			TER RIGHT CLAIM. THESE ISSUES MAY REMAIN * TONS ARE FILED. * * *
WATE	YELLOW ABS	STONE RIVER BASIN 42KJ STRACT OF WA	12/09/03 ELIMINARY DECREE PAGE 198 BETWEEN BIGHORN AND TONGUE RIVERS  ATER RIGHT CLAIM 1-W-003041-00*(CONTINUED)
REMA	ARKS CONT	INUED:	*
<sup>k</sup> ]	FILING THE	FORM GW2, N	Y BE QUESTIONABLE. THE DATE OF * NOTICE OF COMPLETION OF * RIATION, IS JANUARY 29, 1970. *
****	******	******	**********
* ( * * ***** A BET YOUR FLOW	GROUNDWA  *******  TTER UNDE  R RIGHT WIT  R RATES, VO	**************************************	RIATION, IS JANUARY 29, 1970. * * *

PARING ES, CTOTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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

> 12/09/03 TEMPORARY PRELIMINARY DECREE

PAGE 199

# YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

# ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-003263-00

\_ \_ \_

RESERVOIR:

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

AVAILABILITY."
OWNERS: BLOOM MARY
PO BOX 795 MILES CITY MT 59301 BLOOM J L PO BOX 795 MILES CITY MT 59301 PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF HORTON HOLLOW SOURCE TYPE: SURFACE WATER PRIORITY DATE:
SEPTEMBER 14, 1932 TYPE OF HISTORICAL RIGHT: FILED * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENESE 16 05N 45E CUSTER DAM

# OTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

01 ONSTREAM NENESE 16 05N 45E CUSTER

CAPACITY: 10.8 AC-FT DAM HEIGHT: 9 FT SURFACE AREA: 3.00 ACRES

THE CAPACITY AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

PLACE OF USE FOR STOCK:

ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 NENESE 16 05N 45E CUSTER

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 200
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003263-00\*(CONTINUED)

REMARKS CONTINUED: REMARKS:

\_\_\_\_

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\*

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE ASSOCIATED. THEY SHARE THE SAME RESERVOIR. W003263-00, W047775-00

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/09/90.

\*

\*

\* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS

\* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

\* LINRESOLVED IE NO ORIECTIONS ARE FILED \*

UNRESOLVED IF NO OBJECTIONS ARE FILED.

\*

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

\*

\*

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

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

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

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 201
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003264-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: SIMS EMMA F

\*\*\*DECEASED\*\*\*
612 N MONTANA AVE
MILES CITY MT 00000
STERLING RAYMOND L
PO BOX 606
LIBBY MT 59923
PURPOSE (USE): STOCK

\*SOURCE:

HORTON HOLLOW

SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

JANUARY 16, 1962 TYPE OF HISTORICAL RIGHT: FILED

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY

PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:	
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS	
01 NWSESW 17 05N 45E CUSTER DAM RESERVOIR:	
QTR SEC SEC TWP RGE COUNTY	
01 ONSTREAM SESW 17 05N 45E CUSTER * PLACE OF USE FOR STOCK:	
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 N2SESW 17 05N 45E CUSTER	

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 202
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003264-00\*(CONTINUED)

# REMARKS CONTINUED:

\*

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

\*

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

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

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

#### 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 203 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-003283-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA

SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: GOEDERT HELEN SUTHERLAND NE 69165 GOEDERT CLARENCE 2611 W 19TH ST NORTH PLATTE NE 69101 PURPOSE (USE): STOCK \* SOURCE: SPRING, TRIB OF COXS COULEE SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1946** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE. OR FROM A DITCH SYSTEM. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: MAY 01 TO OCTOBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SWNENE 31 03N 37E TREASURE **DIRECT FROM SOURCE** \* PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES 001 SWNENE 31 03N 37E TREASURE **REMARKS:** NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/29/88. \*

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

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 204 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003283-00\*(CONTINUED)

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

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

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 205 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003284-00

IMPORTANT NOTICE YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM

CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: GOEDERT HELEN

SUTHERLAND NE 69165

GOEDERT CLARENCE
2611 W 19TH ST

NORTH PLATTE NE 69101 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF SARPY CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: JANUARY 10, 1963 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: MAY 01 TO OCTOBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NESESE 31 03N 37E TREASURE DAMRESERVOIR: QTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NESESE 31 03N 37E TREASURE \* PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SESE 31 03N 37E TREASURE

REMARKS:

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 206
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003284-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/29/88.

\*

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

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 207
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003285-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: GOEDERT HELEN
SUTHERLAND NE 69165 GOEDERT CLARENCE 2611 W 19TH ST NORTH PLATTE NE 69101
PURPOSE (USE): STOCK
SOURCE:
SPRING, TRIB OF SARPY CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:
DECEMBER 31, 1920 TYPE OF HISTORICAL RIGHT: FILED FILOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.  VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USEI FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESWNE 03 02N 37E TREASURE DIRECT FROM SOURCE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESWNE 03 02N 37E TREASURE REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/29/88. ***********************************
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. * **********************************
12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 208
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

# BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003285-00\*(CONTINUED)

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 209
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003286-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: GOEDERT HELEN

SUTHERLAND NE 69165 GOEDERT CLARENCE 2611 W 19TH ST NORTH PLATTE NE 69101 PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF WILLOUGHBY COULEE SOURCE TYPE: SURFACE WATER

DECEMBER 31, 1920 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USE FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENWSE 04 02N 37E TREASURE DIRECT FROM SOURCE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NENWSE 04 02N 37E TREASURE REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/29/88.  **********************************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  * DATA, OR ISSUES TO REPORT TO THE WATER COURT.  ***********************************
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 210 YELLOWSTONE RIVER RETWEEN RICHORN AND TONGLIE RIVERS

TEMPORARY PRELIMINARY DECREE PAGE 210
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003286-00\*(CONTINUED)

\* PRIORITY DATE:

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 211 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-003287-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: GOEDERT HELEN SUTHERLAND NE 69165 GOEDERT CLARENCE 2611 W 19TH ST NORTH PLATTE NE 69101 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF SARPY CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1950** 

TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY

PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: APRIL 01 TO OCTOBER 04

POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESWSW 35 03N 37E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESWSW 35 03N 37E TREASURE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESWSW 35 03N 37E TREASURE REMARKS:

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 212
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003287-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/29/88.

\*

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

\*

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF

YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING

1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 213
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-003288-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

AVAILABILITY." OWNERS: GOEDERT HELEN SUTHERLAND NE 69165 GOEDERT CLARENCE 2611 W 19TH ST NORTH PLATTE NE 69101 PURPOSE (USE): STOCK SOURCE: WELL SOURCE TYPE: GROUNDWATER \* PRIORITY DATE: **DECEMBER 31, 1955** TYPE OF HISTORICAL RIGHT: FILED FLOW RATE: 15.00 GPM (.03 CFS) \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

01 NESWSE 10 02N 37E TREASURE

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 NESWSE 10 02N 37E TREASURE

REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/29/88.

\*

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

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 214
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003288-00\*(CONTINUED)

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

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

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 215
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003289-00

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: GOEDERT HELEN NE 69165 SUTHERLAND GOEDERT CLARENCE 2611 W 19TH ST NORTH PLATTE NE 69101 PURPOSE (USE): STOCK SOURCE: WELL SOURCE TYPE: GROUNDWATER \* PRIORITY DATE: **DECEMBER 31, 1935** TYPE OF HISTORICAL RIGHT: FILED FLOW RATE: 4.00 GPM \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: MAY 01 TO OCTOBER 31 POINT OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY 01 NWNENW 31 03N 37E TREASURE \* PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES NWNENW 31 03N 37E TREASURE 001 **REMARKS:** NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/29/88.

\*

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

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 216
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-003289-00\*(CONTINUED)

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 217
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-003290-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: GOEDERT HELEN

SUTHERLAND NE 69165
GOEDERT CLARENCE
2611 W 19TH ST

PURPOSE (USE): STOCK	
SOURCE:	
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:	
DECEMBER 31, 1920 TYPE OF HISTORICAL RIGHT: FILED FLOW RATE:	
5.00 GPM * VOLUME:	
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY US FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31	SED
POINT OF DIVERSION:  LOT BLK QTR SEC SEC TWP RGE COUNTY	
01 SWNESE 32 03N 37E TREASURE * PLACE OF USE FOR STOCK:	
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 SWNESE 32 03N 37E TREASURE REMARKS:	
NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/29/88.  **********************************	
* DATA, OR ISSUES TO REPORT TO THE WATER COURT.	
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 218 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS	

BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003290-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,

FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 219
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-003291-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: GOEDERT HELEN

SUTHERLAND NE 69165
GOEDERT CLARENCE
2611 W 19TH ST
NORTH PLATTE NE 69101
PURPOSE (USE): STOCK

SOURCE:

WELL
SOURCE TYPE: GROUNDWATER
\* PRIORITY DATE:

DECEMBER 31, 1952
TYPE OF HISTORICAL RIGHT: FILED
FLOW RATE:

4.00 GPM

* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 SWSENW 04 02N 37E TREASURE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSENW 04 02N 37E TREASURE REMARKS:

AUTHORIZATION TO CHANGE THE POINT OF DIVERSION COMPLETED 09/14/81. FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE. SEE 42KJ G(W)003291-00.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 220
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003291-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/29/88.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE

DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 221
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-003292-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: GOEDERT HELEN SUTHERLAND NE 69165 GOEDERT CLARENCE 2611 W 19TH ST NORTH PLATTE NE 69101 PURPOSE (USE): STOCK SOURCE: WELL SOURCE TYPE: GROUNDWATER \* PRIORITY DATE: **DECEMBER 31, 1916** TYPE OF HISTORICAL RIGHT: FILED FLOW RATE: 5.00 GPM \* VOLUME:

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

 $file: ///Dl/...orn \% 20 and \% 20 Tongue \% 20 Rivers \% 2003\_1114/Decree\_indexes \% 20 as \% 20 issued \% 20 in \% 20 txt \% 20 file \% 20 format/b42 KJ\_p1.txt [2/10/2010 10:57:55 AM]$ 

POIN	NT OF DIVE	RSION:
	LOT BL	K QTR SEC SEC TWP RGE COUNTY
01 PLA		WNESW 05 02N 37E TREASURE FOR STOCK:
	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001 REM	IARKS:	NWNESW 05 02N 37E TREASURE

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/29/88.

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

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 222
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-003292-00\*(CONTINUED)

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 223
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003293-00

\_ \_ \_

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM	
CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURIN	G
THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER	
COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA	
SUPREME COURT.	

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

AVAILABILITY." OWNERS: GOEDERT HELEN SUTHERLAND NE 69165 GOEDERT CLARENCE 2611 W 19TH ST NORTH PLATTE NE 69101 PURPOSE (USE): STOCK \* SOURCE: SPRING, TRIB OF DAWES COULEE SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1950** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SENWNW 10 02N 37E TREASURE DIRECT FROM SOURCE \* PLACE OF USE FOR STOCK: LOT BLK QTR SEC SEC TWP RGE COUNTY ACRES

 $file: ///D / ... orn \% 20 and \% 20 Tongue \% 20 Rivers \% 2003\_1114 / Decree\_indexes \% 20 as \% 20 issued \% 20 in \% 20 txt \% 20 file \% 20 format/b42 KJ\_p1.txt [2/10/2010 10:57:55 AM]$ 

SENWNW 10 02N 37E TREASURE

001

REMARKS:
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NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/29/88.

\*

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

\*

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 224
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-003293-00\*(CONTINUED)

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 225
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003294-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: GOEDERT HELEN
SUTHERLAND NE 69165 GOEDERT CLARENCE 2611 W 19TH ST
NORTH PLATTE NE 69101 PURPOSE (USE): STOCK
SOURCE:
WILLOUGHBY COULEE SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
AUGUST 31, 1970 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSWNW 04 02N 37E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWSWNW 04 02N 37E TREASURE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 W2SWNW 04 02N 37E TREASURE REMARKS:

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 226
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

# ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003294-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/29/88.

\*

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

\*

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

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

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 227
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-003295-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: GOEDERT HELEN

SUTHERLAND NE 69165 GOEDERT CLARENCE 2611 W 19TH ST

NORTH PLATTE NE 69101

PURPOSE (USE): STOCK

SOURCE:
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
DECEMBER 31, 1962 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
5.00 GPM * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USE FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
* PLACE OF USE FOR STOCK:  ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESWNE 32 03N 37E TREASURE REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/29/88.
* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS * * EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN * * UNRESOLVED IF NO OBJECTIONS ARE FILED. *
*
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 228 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER*RIGHT*NUMBER*42KJ-W-003295-00*(CONTINUED)
REMARKS CONTINUED:

THE PRIORITY DATE MAY BE QUESTIONABLE. NO

\* DOCUMENTATION AS REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO SUPPORT THIS CLAIM. \*

\*

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 229
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003296-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: GOEDERT HELEN

SUTHERLAND NE 69165
GOEDERT CLARENCE
2611 W 19TH ST
NORTH PLATTE NE 69101

PURPOSE (USE): STOCK

SOURCE:

WELL

SOURCE TYPE: GROUNDWATER

* PRIORITY DATE:
TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:
15.00 GPM ( .03 CFS)
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USES FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: NOVEMBER 01 TO APRIL 30
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NWNWSW 05 02N 37E TREASURE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNWSW 05 02N 37E TREASURE REMARKS:
 NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/29/88. ***********************************
* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *  * EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *  * UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 230 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER*RIGHT*NUMBER*42KJ-W-003296-00*(CONTINUED)
REMARKS CONTINUED:  *
* THE PRIORITY DATE MAY BE QUESTIONABLE. NO *
* DOCUMENTATION AS REQUIRED BY THE 1961 GROUNDWATER *
* CODE WAS SUBMITTED TO SUPPORT THIS CLAIM. *
* *
*
**************************

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 231
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003297-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

SUTHERLAND NE 69165
GOEDERT CLARENCE
2611 W 19TH ST
NORTH PLATTE NE 69101

PURPOSE (USE): STOCK

OWNERS: GOEDERT

SOURCE:

UNNAMED TRIBUTARY OF SARPY CREEK SOURCE TYPE: SURFACE WATER

HELEN

\* PRIORITY DATE:

DECEMBER 31, 1945 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:	
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USE FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31	D
* POINT OF DIVERSION AND MEANS OF DIVERSION:	
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS	
01 NWSWNE 03 02N 37E TREASURE DAM RESERVOIR:	
QTR SEC SEC TWP RGE COUNTY	
01 ONSTREAM NWSWNE 03 02N 37E TREASURE * PLACE OF USE FOR STOCK:	
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 SWNE 03 02N 37E TREASURE REMARKS:	

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 232
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003297-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/29/88.

\*

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

\*

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 233
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-003298-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: GOEDERT HELEN SUTHERLAND NE 69165 GOEDERT CLARENCE 2611 W 19TH ST NORTH PLATTE NE 69101 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF SARPY CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: FEBRUARY 11, 1963 TYPE OF HISTORICAL RIGHT: FILED \* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY

PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: APRIL 01 TO OCTOBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSWNW 34 03N 37E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWSWNW 34 03N 37E TREASURE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNW 34 03N 37E TREASURE REMARKS:

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 234
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003298-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/29/88.

\*

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

\*

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF

YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING

1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 235
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-003299-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

AVAILABILITY."
OWNERS: GOEDERT HELEN
SUTHERLAND NE 69165
GOEDERT CLARENCE
2611 W 19TH ST
NORTH PLATTE NE 69101
PURPOSE (USE): DOMESTIC
SOURCE:
SOURCE:
WELL
SOURCE TYPE: GROUNDWATER
* PRIORITY DATE:
THORIT DATE.
DECEMBER 31, 1960
TYPE OF HISTORICAL RIGHT: FILED
FLOW RATE:
5.00 GPM
VOLUME:
1.50 AF
(NUMBER OF HOUSEHOLDS: 2)
MAXIMUM ACRES: .25
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
DON'T OF DIVERSION
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
LOT BEK QTK SEC SEC TWI KOE COONTI

NENESW 05 02N 37E TREASURE 01 \* PLACE OF USE FOR DOMESTIC:

ACRES	LOT	BLK	QTR SEC	SEC	TWP	RGE	COUNTY	

001 .25 NENESW 05 02N 37E TREASURE

TOTAL .25

**REMARKS:** 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/29/88.

\*

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

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 236 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003299-00\*(CONTINUED)

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 237 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003757-00

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

ENTITLED NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTIC
AVAILABILITY." OWNERS: RONNING WARREN E
OWNERS: RONNING WARREN E
JORDAN STAGE
MILES CITY MT 59301
RONNING ELIZABETH A
JORDAN STAGE
MILES CITY MT 59301
PURPOSE (USE): IRRIGATION
TANDE OF IDDICATION OVOTEDA DE OOD
TYPE OF IRRIGATION SYSTEM: FLOOD
SOURCE:
WELL ONGTONE DIVED
YELLOWSTONE RIVER
SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
HH M 10, 1070
JULY 18, 1950
TYPE OF HISTORICAL RIGHT: FILED
FLOW RATE:
1,500.00 GPM
* VOLUME:
THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE
AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.
CLIMATIC AREA: 1
MAXIMUM ACRES: 90.00
PERIOD OF USE: APRIL 01 TO SEPTEMBER 30
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NEGENE 10.07N ACE CHOTED DUMD
01 NESENE 19 07N 46E CUSTER PUMP
* PLACE OF USE FOR IRRIGATION:
ACDEC LOT DIV OTD SEC SEC TWD DCE COUNTY
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 40.00 (GOVT) 5 W2W2 20 07N 46E CUSTER
,
002 11.00 (GOVT) 6 E2N2 20 07N 46E CUSTER

10.00 (GOVT) 7 SWNE 19 07N 46E CUSTER

003

004 15.00 (GOVT) 8 SENE 19 07N 46E CUSTER 005 14.00 N2SE 19 07N 46E CUSTER

TOTAL 90.00

REMARKS:

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 238
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-003757-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/03/87.

\*

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

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 239
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004331-00

\_ \_ \_

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA

SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMEN
ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
OWNERS: VALDEZ, ROY & BEVERLY TRUST
% ROY, JR AND BEVERLY R VALDEZ HC 36 BOX 350
SAINT XAVIER MT 59075 PURPOSE (USE): STOCK
SOURCE:
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
DECEMBER 31, 1920 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
20.00 GPM ( .04 CFS) * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 SENENE 28 03N 41E ROSEBUD * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENENE 28 03N 41E ROSEBUD REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/18/98. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/25/99. ***********************************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *  * DATA. OR ISSUES TO REPORT TO THE WATER COURT. *

12/09/03

\*

# TEMPORARY PRELIMINARY DECREE PAGE 240 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004331-00\*(CONTINUED)

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 241
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004335-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: VALDEZ, ROY & BEVERLY TRUST

% ROY, JR AND BEVERLY R VALDEZ HC 36 BOX 350 SAINT XAVIER MT 59075

PURPOSE (USE): STOCK

\* SOURCE:

UNNAMED TRIBUTARY OF ARMELLS CREEK, EAST FORK

\* PRIORITY DATE: **DECEMBER 31. 1955** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SWNENE 28 03N 41E ROSEBUD DAM RESERVOIR: QTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SWNENE 28 03N 41E ROSEBUD PLACE OF USE FOR STOCK: LOT BLK QTR SEC SEC TWP RGE COUNTY ACRES S2NENE 28 03N 41E ROSEBUD 001 **REMARKS:** 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 242 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004335-00\*(CONTINUED)

SOURCE TYPE: SURFACE WATER

**REMARKS CONTINUED:** 

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.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/18/98. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/25/99.

\*

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

\*

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

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 243
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004337-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: VALDEZ, ROY & BEVERLY TRUST

% ROY, JR AND BEVERLY R VALDEZ HC 36 BOX 350 SAINT XAVIER MT 59075

PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: WATER SPREADING

\* SOURCE:

ARMELLS CREEK, EAST FORK SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
DECEMBER 31, 1955 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. VOLUME:
10.00 AF CLIMATIC AREA: 1 MAXIMUM ACRES: 10.00
* PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESESW 28 03N 41E ROSEBUD DIKE
PUMP IS ALSO USED WHEN CREEK IS LOW. RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SESESW 28 03N 41E ROSEBUD PLACE OF USE FOR IRRIGATION:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 10.00 SESESW 28 03N 41E ROSEBUD
TOTAL 10.00 REMARKS:
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 244
TENII ONANTI NELIMINANTI DECREE TAGE 244

TEMPORARY PRELIMINARY DECREE PAGE 244
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004337-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/18/98.

#### NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/25/99.

\*

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

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 245
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004338-00

\_ \_ \_

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: VALDEZ, ROY & BEVERLY TRUST

% ROY, JR AND BEVERLY R VALDEZ HC 36 BOX 350 SAINT XAVIER MT 59075 PURPOSE (USE): FISH & WILDLIFE

SOURCE:

UNNAMED TRIBUTARY OF ARMELLS CREEK, EAST FORK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1955 TYPE OF HISTORICAL RIGHT: USE
* FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  VOLUME:
8.00 AF PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNENE 28 03N 41E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWNENE 28 03N 41E ROSEBUD * PLACE OF USE FOR FISH & WILDLIFE:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 S2NENE 28 03N 41E ROSEBUD REMARKS:
THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 246
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004338-00\*(CONTINUED)

**REMARKS CONTINUED:** 

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. W004335-00, W004338-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/18/98. NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/25/99.

<sup>\*</sup> THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 247
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004455-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: GOEDERT HELEN

SUTHERLAND NE 69165
GOEDERT CLARENCE
2611 W 19TH ST
NORTH PLATTE NE 69101
PURPOSE (USE): STOCK

SOURCE:
WELL

SOURCE TYPE: GROUNDWATER

\* PRIORITY DATE:

**DECEMBER 31, 1948** 

FLOW RATE:	
10.00 GPM * VOLUME:	
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: APRIL 01 TO OCTOBER 31	
POINT OF DIVERSION:	
LOT BLK QTR SEC SEC TWP RGE COUNTY	
01 NWSESW 35 03N 37E TREASURE * PLACE OF USE FOR STOCK:	
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 NWSESW 35 03N 37E TREASURE REMARKS:	
NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/29/88.	
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *  DATA, OR ISSUES TO REPORT TO THE WATER COURT. *  **********************************	
10/00/00	

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 248
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004455-00\*(CONTINUED)

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF

AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 249
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004456-00

IMPORTANT NOTICE

HELEN

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

SUTHERLAND NE 69165
GOEDERT CLARENCE
2611 W 19TH ST
NORTH PLATTE NE 69101
PURPOSE (USE): STOCK

SOURCE:

WELL
SOURCE TYPE: GROUNDWATER
\* PRIORITY DATE:

DECEMBER 31, 1915
TYPE OF HISTORICAL RIGHT: FILED
FLOW RATE:

10.00 GPM

\* VOLUME:

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

PERIOD OF USE: APRIL 01 TO OCTOBER 31

POINT OF DIVERSION:

OWNERS: GOEDERT

### LOT BLK OTR SEC SEC TWP RGE COUNTY 01 NWSESW 35 03N 37E TREASURE \* PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES NWSESW 35 03N 37E TREASURE 001 **REMARKS**: NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/29/88. \*

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

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 250 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004456-00\*(CONTINUED)

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 251 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004457-00

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#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: GOEDERT HELEN SUTHERLAND NE 69165 GOEDERT CLARENCE 2611 W 19TH ST NORTH PLATTE NE 69101 \* PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: WATER SPREADING SOURCE: SARPY CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: **DECEMBER 01, 1966** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. \* VOLUME: 292.79 AF **CLIMATIC AREA: 1** THE VOLUME OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 2.3 ACRE-FEET PER ACRE GUIDELINE FOR WATER SPREADING. THE VOLUME MAY BE CONTESTED BY PROPER OBJECTION. \* MAXIMUM ACRES: 127.30 PERIOD OF USE: MARCH 15 TO JUNE 19 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NWSWSE 05 02N 37E TREASURE DIKE NWSWSE 05 02N 37E TREASURE 02 DIKE \* PLACE OF USE FOR IRRIGATION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

ACRES

001	34.00	W2SE 05 02N 37E TREASURE
002	5.60	E2SW 05 02N 37E TREASURE
003	11.00	N2NE 05 02N 37E TREASURE
004	31.20	SWNE 05 02N 37E TREASURE
005	2.00	SENW 05 02N 37E TREASURE
006	41 30	SE 32 03N 37E TREASURE

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 252
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004457-00\*(CONTINUED)

PLACE OF USE CONTINUED:

007 2.20 SENE 32 03N 37E TREASURE

TOTAL 127.30 REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/29/88.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 253
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004642-00

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#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

AVAILABILITY."  OWNERS: COFFEE/NEFSY PARTNERSHIP
PO BOX 575 MILES CITY MT 59301 PURPOSE (USE): STOCK
SOURCE:
MCGRAW COULEE SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1944 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENESE 12 07N 39E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NENESE 12 07N 39E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

N2NESE 12 07N 39E ROSEBUD

**REMARKS**:

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001

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 254
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004642-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

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

\*

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

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 255
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004643-00

- - -

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: COFFEE/NEFSY PARTNERSHIP PO BOX 575 MILES CITY MT 59301 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF DRY CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1941** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO NOVEMBER 24 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NWNESE 06 07N 40E ROSEBUD DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NWNESE 06 07N 40E ROSEBUD CAPACITY: 20.0 AC-FT DAM HEIGHT: 10 FT SURFACE AREA: 5.00 ACRES THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC. PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY 001 W2NESE 06 07N 40E ROSEBUD 002 E2NWSE 06 07N 40E ROSEBUD

REMARKS:

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 256
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004643-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02. WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

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

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 257
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004644-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

AVAILABILITY." OWNERS: COFFEE/NEFSY PARTNERSHIP
PO BOX 575 MILES CITY MT 59301 PURPOSE (USE): STOCK
SOURCE:
MCGRAW COULEE SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1938 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USEI FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESESE 07 07N 40E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SESESE 07 07N 40E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESESE 07 07N 40E ROSEBUD 002 N2SESE 07 07N 40E ROSEBUD REMARKS:

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 258
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

## ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004644-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02. WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

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

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 259
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004645-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: COFFEE/NEFSY PARTNERSHIP

PO BOX 575 MILES CITY MT 59301 PURPOSE (USE): STOCK

GREASEWOOD CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1944 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO NOVEMBER 24
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWNWSW 02 07N 39E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWNWSW 02 07N 39E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNWSW 02 07N 39E ROSEBUD REMARKS:
WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 260 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004645-00\*(CONTINUED)

**REMARKS CONTINUED:** 

\* SOURCE:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

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

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 261 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004646-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: COFFEE/NEFSY PARTNERSHIP PO BOX 575 MILES CITY MT 59301 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF DRY CREEK

SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1954 TYPE OF HISTORICAL RIGHT: USE

* FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSENW 31 08N 40E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSENW 31 08N 40E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSENW 31 08N 40E ROSEBUD REMARKS:
WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 262

TEMPORARY PRELIMINARY DECREE PAGE 262
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004646-00\*(CONTINUED)

**REMARKS CONTINUED:** 

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

\*

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

TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 263
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004647-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: COFFEE/NEFSY PARTNERSHIP

PO BOX 575
MILES CITY MT 59301
PURPOSE (USE): STOCK

\*SOURCE:

UNNAMED TRIBUTARY OF DRY CREEK
SOURCE TYPE: SURFACE WATER

\*PRIORITY DATE:

DECEMBER 31, 1946
TYPE OF HISTORICAL RIGHT: USE

\*FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\*VOLUME:

file:///D/...orn%20and%20Tongue%20Rivers%2003\_1114/Decree\_indexes%20as%20issued%20in%20txt%20file%20format/b42KJ\_p1.txt[2/10/2010 10:57:55 AM]

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED

FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY

PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT	OF DIVERSION AND MEANS OF DIVERSION:
	LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 RESER	SESWSE 30 08N 40E ROSEBUD DAM VOIR:
	QTR SEC SEC TWP RGE COUNTY
	ISTREAM SESWSE 30 08N 40E ROSEBUD E OF USE FOR STOCK:
	ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 REMAI	SESWSE 30 08N 40E ROSEBUD RKS:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 264
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004647-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

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

\*

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT

PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 265 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004648-00

IMPORTANT NOTICE YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER.

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: COFFEE/NEFSY PARTNERSHIP PO BOX 575 MILES CITY MT 59301 PURPOSE (USE): STOCK \* SOURCE: UNNAMED TRIBUTARY OF MACHINE COULEE SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1968** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 RESERVOIR:	NWSWNE 26 08N 39E ROSEBUD DAM
Q	TR SEC SEC TWP RGE COUNTY
	M NWSWNE 26 08N 39E ROSEBUD E FOR STOCK:
ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001 REMARKS:	W2SWNE 26 08N 39E ROSEBUD

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 266
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004648-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

- \* 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.

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12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 267

YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

# BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004649-00

**IMPORTANT NOTICE** YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: COFFEE/NEFSY PARTNERSHIP PO BOX 575 MILES CITY MT 59301 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF HAY CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: DECEMBER 31, 1940 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NWNESW 18 08N 40E ROSEBUD DAM RESERVOIR:

OTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NWNESW 18 08N 40E ROSEBUD

CAPACITY: 16.0 AC-FT DAM HEIGHT: 10 FT SURFACE AREA: 4.00 ACRES

\_\_\_\_\_\_

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC.
PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_\_

001 NWNESW 18 08N 40E ROSEBUD 002 NENWSW 18 08N 40E ROSEBUD

REMARKS:

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 268
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004649-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02. WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

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

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 269
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

IMPORTANT NOTICI	_
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YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA

SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUM
ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." OWNERS: COFFEE/NEFSY PARTNERSHIP
OWNERS. COFFEE/NEFST FARTNERSHIF
PO BOX 575
MILES CITY MT 59301 PURPOSE (USE): STOCK
* SOURCE:
UNNAMED TRIBUTARY OF HAY CREEK SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSWNW 13 08N 39E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NWSWNW 13 08N 39E ROSEBUD PLACE OF USE FOR STOCK:

ACRES	LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY

001 W2SWNW 13 08N 39E ROSEBUD

REMARKS:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 270
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004650-00\*(CONTINUED)

**REMARKS CONTINUED:** 

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

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

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 271
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004651-00

- - -

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING

THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.
OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF

ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."  OWNERS: COFFEE/NEFSY PARTNERSHIP
PO BOX 575 MILES CITY MT 59301 PURPOSE (USE): STOCK
SOURCE:
HAY CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1938 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENWSE 11 08N 39E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENWSE 11 08N 39E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENWSE 11 08N 39E ROSEBUD REMARKS:

# WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 272
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-004651-00\*(CONTINUED)

**REMARKS CONTINUED:** 

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

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

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 273
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004652-00

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YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: COFFEE/NEFSY PARTNERSHIP

PURPOSE (USE): STOCK
SOURCE:
LIVING ASH CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:
DECEMBER 31, 1958 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESENE 09 08N 39E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESENE 09 08N 39E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 N2SENE 09 08N 39E ROSEBUD REMARKS:
WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

PO BOX 575 MILES CITY

MT 59301

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 274
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-004652-00\*(CONTINUED)

# REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

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

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 275
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004653-00

**IMPORTANT NOTICE** 

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: COFFEE/NEFSY PARTNERSHIP

PO BOX 575
MILES CITY MT 59301
PURPOSE (USE): STOCK
SOURCE:

UNNAMED TRIBUTARY OF HAY CREEK SOURCE TYPE: SURFACE WATER

* PRIORITY DATE:
DECEMBER 31, 1968 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESWNW 02 08N 39E ROSEBUD DAM RESERVOIR:  QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SESWNW 02 08N 39E ROSEBUD PLACE OF USE FOR STOCK:  ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 S2SWNW 02 08N 39E ROSEBUD REMARKS:
WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 276 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM VATER*RIGHT*NUMBER*42KJ-W-004653-00*(CONTINUED)
REMARKS CONTINUED: WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.
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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 277
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-004654-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: COFFEE/NEFSY PARTNERSHIP

PO BOX 575
MILES CITY MT 59301
PURPOSE (USE): STOCK

SOURCE:

HAY CREEK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1940 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSWSE 34 09N 39E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSWSE 34 09N 39E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SWSWSE 34 09N 39E ROSEBUD 002 SESESW 34 09N 39E ROSEBUD

REMARKS:

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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 278
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004654-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02. WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS

CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 279
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004655-00

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# **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: COFFEE/NEFSY PARTNERSHIP

PO BOX 575
MILES CITY MT 59301
PURPOSE (USE): STOCK

\* SOURCE:

HAY CREEK, NORTH PRONG
SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1971 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** 01 NESWNW 28 09N 39E ROSEBUD **DAM** RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NESWNW 28 09N 39E ROSEBUD PLACE OF USE FOR STOCK: LOT BLK QTR SEC SEC TWP RGE COUNTY ACRES 001 NESWNW 28 09N 39E ROSEBUD **REMARKS:** WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02. 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 280 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004655-00\*(CONTINUED) REMARKS CONTINUED: WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02. \* \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, \* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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### 12/09/03

#### TEMPORARY PRELIMINARY DECREE PAGE 281 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004656-00

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# **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA

SUPREME COURT.
OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUM
ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY."
OWNERS: COFFEE/NEFSY PARTNERSHIP
PO BOX 575
MILES CITY MT 59301
PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF HAY CREEK, NORTH PRONG
SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
DECEMBER 31, 1940
TYPE OF HISTORICAL RIGHT: USE
* FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSENE 27 09N 39E ROSEBUD DAM

file:///D/...orn%20and%20Tongue%20Rivers%2003\_1114/Decree\_indexes%20as%20issued%20in%20txt%20file%20format/b42KJ\_p1.txt[2/10/2010 10:57:55 AM]

DAM

SWSENE 27 09N 39E ROSEBUD

RESERVOIR:	
QT	R SEC SEC TWP RGE COUNTY
01 ONSTREAM PLACE OF USE	
ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001 REMARKS:	W2SENE 27 09N 39E ROSEBUD

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 282
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004656-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

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

\*

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

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 283
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-004657-00

IMPORTANT NOTICE YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM
CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING
THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER
COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA
SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUM ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." OWNERS: COFFEE/NEFSY PARTNERSHIP
PO BOX 575 MILES CITY MT 59301 PURPOSE (USE): STOCK
* SOURCE:
UNNAMED TRIBUTARY OF STELLAR CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1948 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESWNE 23 09N 39E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESWNE 23 09N 39E ROSEBUD PLACE OF USE FOR STOCK:

ACRES

001 NESWNE 23 09N 39E ROSEBUD

REMARKS:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 284
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-004657-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

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

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 285
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004658-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER

COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: COFFEE/NEFSY PARTNERSHIP PO BOX 575 MILES CITY MT 59301 PURPOSE (USE): STOCK \* SOURCE: FLAT BOTTOM COULEE SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1954** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SENWNE 05 09N 39E ROSEBUD **DAM** RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SENWNE 05 09N 39E ROSEBUD \* PLACE OF USE FOR STOCK: ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY 001 S2NWNE 05 09N 39E ROSEBUD NESWNE 05 09N 39E ROSEBUD 002 **REMARKS:** 

#### 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 286 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004658-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02. WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

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

\*

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

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

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 287
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

ABSTRACT OF WATER RIGHT CLA WATER\*RIGHT\*NUMBER\*42KJ-W-004659-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: COFFEE/NEFSY PARTNERSHIP

PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF FLAT BOTTOM COULEE SOURCE TYPE: SURFACE WATER PRIORITY DATE:
DECEMBER 31, 1941 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USEI FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENENW 06 09N 39E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENENW 06 09N 39E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENENW 06 09N 39E ROSEBUD REMARKS:
THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE ASSOCIATED. THEY SHARE THE SAME RESERVOIR. W004665-00, W080159-00, W080160-00.

12/09/03

PO BOX 575 MILES CITY

MT 59301

TEMPORARY PRELIMINARY DECREE PAGE 288
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

# ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004659-00\*(CONTINUED)

# REMARKS CONTINUED:

\*

\*

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02. WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

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

THE OWNERSHIP OF THIS RIGHT MAY BE QUESTIONABLE. THE

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 289
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004660-00

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."  OWNERS: COFFEE/NEFSY PARTNERSHIP
PO BOX 575 MILES CITY MT 59301 PURPOSE (USE): STOCK
* SOURCE:
FLAT BOTTOM COULEE SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1944 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USEI FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWNESE 31 10N 39E ROSEBUD DAM RESERVOIR:  OTR SEC SEC TWP RGE COUNTY
——————————————————————————————————————
01 ONSTREAM NWNESE 31 10N 39E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 W2NESE 31 10N 39E ROSEBUD 002 E2NWSE 31 10N 39E ROSEBUD REMARKS:
12/00/03

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TEMPORARY PRELIMINARY DECREE PAGE 290
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

# BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004660-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02. WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

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

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 291
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004661-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: COFFEE/NEFSY PARTNERSHIP

PO BOX 575

MILES CITY MT 59301

PURPOSE (USE): STOCK

SOURCE:
UNNAMED TRIBUTARY OF STELLAR CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1956 TYPE OF HISTORICAL RIGHT: USE
* FLOW RATE:  NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENWNE 28 10N 39E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENWNE 28 10N 39E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENWNE 28 10N 39E ROSEBUD REMARKS:
WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.
12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 292
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004661-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

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

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 293
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004662-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: COFFEE/NEFSY PARTNERSHIP

PO BOX 575
MILES CITY MT 59301
PURPOSE (USE): STOCK

SOURCE:

UNNAMED TRIBUTARY OF STELLAR CREEK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1971

TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** SWNENW 21 10N 39E ROSEBUD 01 DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SWNENW 21 10N 39E ROSEBUD PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES 001 S2NENW 21 10N 39E ROSEBUD REMARKS: WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02. 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 294 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004662-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

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

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 295 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004663-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: COFFEE/NEFSY PARTNERSHIP PO BOX 575 MILES CITY MT 59301 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF LONGFORK CREEK

SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

**DECEMBER 31, 1956** TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT	OF DIVE	RSION AND MEANS OF DIVERSION:	
	LOT BLK	X QTR SEC SEC TWP RGE COUNTY MEANS	
01 RESERV		WSWSE 33 10N 38E ROSEBUD DAM	
	QTR	R SEC SEC TWP RGE COUNTY	
		SWSWSE 33 10N 38E ROSEBUD FOR STOCK:	
A	CRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 REMAR	KS:	SWSWSE 33 10N 38E ROSEBUD	

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 296
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004663-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

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

\*

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF

AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 297
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004664-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: COFFEE/NEFSY PARTNERSHIP

PO BOX 575
MILES CITY MT 59301
PURPOSE (USE): STOCK

SOURCE:

UNNAMED TRIBUTARY OF LONGFORK CREEK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1950 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

# LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NENWNE 33 10N 38E ROSEBUD DAM
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NENWNE 33 10N 38E ROSEBUD
PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 REMARKS: NENWNE 33 10N 38E ROSEBUD

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 298
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004664-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

\*

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

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

12/09/03 TEMPORARY PRELIMINARY DECREE

PAGE 299

# YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

# ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004665-00

<b>IMPORTANT</b>	<b>NOTICE</b>

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: COFFEE/NEFSY PARTNERSHIP PO BOX 575 MILES CITY MT 59301 PURPOSE (USE): STOCK \* SOURCE: UNNAMED TRIBUTARY OF FLAT BOTTOM COULEE SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31. 1943** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION:

file:///D|...orn%20and%20Tongue%20Rivers%2003\_1114/Decree\_indexes%20as%20issued%20in%20txt%20file%20format/b42KJ\_p1.txt[2/10/2010 10:57:55 AM]

DAM

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

NWNWSE 22 10N 38E ROSEBUD

QTR SEC SEC TWP RGE COUNTY

01

RESERVOIR:

-	ONSTREAM CE OF USE FO	NWNWSE 22 10N 38E ROSEBUD OR STOCK:	
	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 REM	ARKS:	NWNWSE 22 10N 38E ROSEBUD	

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE ASSOCIATED. THEY SHARE THE SAME RESERVOIR. W004665-00, W080159-00, W080160-00.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 300
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004665-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02. WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

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

> >

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

# 12/09/03

#### TEMPORARY PRELIMINARY DECREE PAGE 301 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004666-00

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# **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING NA

01 SENWNE 04 10N 38E ROSEBUD DAM

RESERVOIR:	
ТО	R SEC SEC TWP RGE COUNTY
01 ONSTREAM PLACE OF USE	
ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001 REMARKS:	SENWNE 04 10N 38E ROSEBUD

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 302
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004666-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

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

\*

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

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 303
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-004667-00

IMPORTANT NOTICE YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM	
CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURIN	G
THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER	
COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA	
SUPREME COURT.	

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
OWNERS: COFFEE/NEFSY PARTNERSHIP
PO BOX 575 MILES CITY MT 59301 PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF STELLAR CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1968 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNENW 34 11N 38E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWNENW 34 11N 38E ROSEBUD PLACE OF USE FOR STOCK:

ACRES

001 W2NENW 34 11N 38E ROSEBUD

REMARKS:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 304
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004667-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

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

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 305
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004668-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER

COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: COFFEE/NEFSY PARTNERSHIP PO BOX 575 MILES CITY MT 59301 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF STELLAR CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1950** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SWNESW 27 11N 38E ROSEBUD DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SWNESW 27 11N 38E ROSEBUD PLACE OF USE FOR STOCK: ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY 001 W2NESW 27 11N 38E ROSEBUD E2NWSW 27 11N 38E ROSEBUD 002 **REMARKS:** 

# TEMPORARY PRELIMINARY DECREE PAGE 306 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004668-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02. WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

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

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 307
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004669-00

- - -

### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: COFFEE/NEFSY PARTNERSHIP

MILES CITY MT 59301 PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF STELLAR CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:
DECEMBER 31, 1959 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSENW 13 10N 38E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSENW 13 10N 38E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 E2SWNW 13 10N 38E ROSEBUD REMARKS:
WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

**PO BOX 575** 

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 308
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-004669-00\*(CONTINUED)

### REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

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

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 309
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004670-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: GEARHART WILLIAM

PO BOX 98

VALENTINE TX 79854

GEARHART MARTHA

PO BOX 98

VALENTINE TX 79854

MCINNIS JESSICA G

PO BOX 98

VALENTINE TX 79854

PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF STELLAR CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1971 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USE FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESWSW 08 09N 39E ROSEBUD DAM RESERVOIR:  QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESWSW 08 09N 39E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESWSW 08 09N 39E ROSEBUD
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 310 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER*RIGHT*NUMBER*42KJ-W-004670-00*(CONTINUED)
REMARKS CONTINUED: REMARKS:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

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

\*

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

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

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 311
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004671-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: COFFEE/NEFSY PARTNERSHIP

PO BOX 575
MILES CITY MT 59301
PURPOSE (USE): STOCK

SOURCE:

UNNAMED TRIBUTARY OF LONGFORK CREEK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1955

TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** SWSWSW 12 09N 38E ROSEBUD 01 DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SWSWSW 12 09N 38E ROSEBUD PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES 001 SWSWSW 12 09N 38E ROSEBUD REMARKS: WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02. 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 312 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004671-00\*(CONTINUED)

**REMARKS CONTINUED:** 

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

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

\*

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

OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 313
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-004672-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: COFFEE/NEFSY PARTNERSHIP

PO BOX 575
MILES CITY MT 59301
PURPOSE (USE): STOCK

\* SOURCE:

LIVING ASH CREEK
SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1951 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NENWSW 30 09N 39E ROSEBUD DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

01 ONSTREAM NENWSW 30 09N 39E ROSEBUD PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 NENWSW 30 09N 39E ROSEBUD 002 SESWNW 30 09N 39E ROSEBUD

REMARKS:

\_\_\_\_

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 314
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004672-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02. WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE

DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 315
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004673-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: COFFEE/NEFSY PARTNERSHIP

PO BOX 575

MILES CITY MT 59301

PURPOSE (USE): STOCK

\* SOURCE:

UNNAMED TRIBUTARY OF LIVING ASH CREEK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1954
TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

<sup>\*</sup> POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESWSW 29 09N 39E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESWSW 29 09N 39E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESWSW 29 09N 39E ROSEBUD 002 SENWSW 29 09N 39E ROSEBUD REMARKS:

TEMPORARY PRELIMINARY DECREE PAGE 316
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-004673-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02. WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

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

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

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

### TEMPORARY PRELIMINARY DECREE PAGE 317 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004674-00

IMPORTANT NOTICE	
YOUR WATER RIGHT AS SHOWN ON THIS	ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPPEME COURT

**IENT** 

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY."  OWNERS: COFFEE/NEFSY PARTNERSHIP
PO BOX 575 MILES CITY MT 59301 PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF STELLAR CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1943 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESENE 07 09N 39E ROSEBUD DAM RESERVOIR:

### OTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SESENE 07 09N 39E ROSEBUD PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 REMARKS: SESENE 07 09N 39E ROSEBUD

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 318
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004674-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

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

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 319
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004675-00

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### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM
CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING
THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER
COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA
SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
OWNERS: COFFEE/NEFSY PARTNERSHIP
PO BOX 575 MILES CITY MT 59301 PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF STELLAR CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1954 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENWNE 18 09N 39E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENWNE 18 09N 39E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SENWNE 18 09N 39E ROSEBUD 002 NESWNE 18 09N 39E ROSEBUD

**REMARKS**:

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 320
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-004675-00\*(CONTINUED)

REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02. WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

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

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 321
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004676-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA

SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT
ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." OWNERS: COFFEE/NEFSY PARTNERSHIP
PO BOX 575
MILES CITY MT 59301
PURPOSE (USE): STOCK
* SOURCE:
UNNAMED TRIBUTARY OF FLAT BOTTOM COULEE
SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
DECEMBER 31, 1969
TYPE OF HISTORICAL RIGHT: USE  * FLOW RATE:
"FLOW RATE.
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.  * VOLUME:
——————————————————————————————————————
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31
FERIOD OF USE. JANUAR I UI TO DECEMBER SI
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSWSE 26 10N 38E ROSEBUD DAM
RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWSWSE 26 10N 38E ROSEBUD
PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSWSE 26 10N 38E ROSEBUD
REMARKS:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

# TEMPORARY PRELIMINARY DECREE PAGE 322 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004676-00\*(CONTINUED)

**REMARKS CONTINUED:** 

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/08/02.

\*

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

\*

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

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

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 323
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-004784-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: MURI ANNA

MYERS HC

HYSHAM MT 59038

PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF YELLOWSTONE RIVER SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
JUNE 30, 1949 TYPE OF HISTORICAL RIGHT: FILED * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: MAY 01 TO NOVEMBER 04
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENENE 20 07N 35E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENENE 20 07N 35E TREASURE CAPACITY: 9.6 AC-FT DAM HEIGHT: 10 FT SURFACE AREA: 3.00 ACRES
THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC. * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 E2NENE 20 07N 35E TREASURE
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 324 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER*RIGHT*NUMBER*42KJ-W-004784-00*(CONTINUED)

### **REMARKS CONTINUED:**

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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.

\* \*

THE MAXIMUM STORAGE CAPACITY OF THIS RESERVOIR MAY BE

QUESTIONABLE. ACCORDING TO DNRC ESTIMATES, THE

MAXIMUM STORAGE CAPACITY IS 9.60 ACRE-FEET. \*

\* \*

\*

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

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

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 325
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*43P\*-W-004786-00

- - - -

\*\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\*\*

THE POINT OF DIVERSION FOR THIS WATER RIGHT IS LOCATED IN ANOTHER BASIN. THE ABBREVIATED INFORMATION PROVIDED HERE IS TO DESCRIBE THE PLACE OF USE IN THIS BASIN. COMPLETE INFORMATION DESCRIBING THE ENTIRE RIGHT CAN BE FOUND IN THE POINT OF DIVERSION BASIN DECREE.

FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

THIS APPROPRIATION OF WATER TAKES WATER FROM THE BIGHORN RIVER DRAINAGE (BASIN 43P) AND USES IT IN THE YELLOWSTONE RIVER BETWEEN THE BIGHORN AND TONGUE RIVERS DRAINAGE (BASIN 42KJ), AND THE BIGHORN RIVER DRAINAGE (BASIN 43P). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR

EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.
YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: BRADBROOK & VERHEST ESTATE OF PO BOX 68 BIGHORN MT 59010-0068 STRECKER FARMS INC PO BOX 68 MT 59010 BIGHORN PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: FLOOD SOURCE: **BIGHORN RIVER** SOURCE TYPE: SURFACE WATER PRIORITY DATE: FEBRUARY 08, 1909 FLOW RATE: **VOLUME: MAXIMUM ACRES:** PERIOD OF USE: POINT OF DIVERSION AND MEANS OF DIVERSION: \* PLACE OF USE FOR IRRIGATION: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES 13 05N 34E TREASURE 001 165.00 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 326
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*43P\*-W-004786-00\*(CONTINUED)

PLACE OF USE CONTINUED:

002 15.00 SE 14 05N 34E TREASURE

003	247.00	23 05N 34E TREASURE
004	195.00	W2 24 05N 34E TREASURE
005	5.00	NW 25 05N 34E TREASURE
006	228.00	N2 26 05N 34E TREASURE
007	374.00	27 05N 34E TREASURE
800	20.00	E2 28 05N 34E TREASURE
009	2.00	NE 33 05N 34E TREASURE
010	33.00	N2 34 05N 34E TREASURE

TOTAL 1,284.00

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

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

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 327
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-005596-00

### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: DELLIT FRANCES D

PO BOX 47
SUMATRA MT 59083
DELLIT ROBERT D
PO BOX 47
SUMATRA MT 59083

PURPOSE (USE): STOCK	
SOURCE:	
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:	
DECEMBER 31, 1940 TYPE OF HISTORICAL RIGHT: FILED FLOW RATE:	
* VOLUME:	
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVE FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED IN THIS WATER SOURCE.  PERIOD OF USE: MAY 01 TO NOVEMBER 30	PAY
POINT OF DIVERSION:	
LOT BLK QTR SEC SEC TWP RGE COUNTY	
01 SWNESW 04 09N 33E ROSEBUD PLACE OF USE FOR STOCK:	
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 SWNESW 04 09N 33E ROSEBUD REMARKS:	_
NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/03/93.	
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  DATA, OR ISSUES TO REPORT TO THE WATER COURT.  ***********************************	*
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 328	
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS	

BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-005596-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT

TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 329
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-005597-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS:	DELLIT	Γ	FRAN	ICES	D
PO B0	OX 47				
SUMA	ATRA		MT	59083	
DELL	IT .	ROBE	RT	D	
PO BO	OX 47				
SUMA	ATRA		MT	59083	
PURPOSE	(USE): S	TOCK			
	ELL DURCE T DATE:	ГҮРЕ:	GRO	UNDW	ATER
	_			L RIGH	IT: FILED
	8.00 GP	M			

* VOLUME	: :
	HIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USEI OR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
Pl	ER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
_	ARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY HIS WATER SOURCE.
	F USE: DECEMBER 01 TO APRIL 30
POINT OF	DIVERSION:
LC	OT BLK QTR SEC SEC TWP RGE COUNTY
01 PLACE OF	SWNESW 04 09N 33E ROSEBUD FUSE FOR STOCK:
ACF	RES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 REMARKS	SWNESW 04 09N 33E ROSEBUD S:
******	E OF WATER RIGHT TRANSFER RECEIVED 09/03/93.  ***********************************

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TEMPORARY PRELIMINARY DECREE PAGE 330
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-005597-00\*(CONTINUED)

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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

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

# TEMPORARY PRELIMINARY DECREE PAGE 331 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-005598-00

- - -

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

AVAILABILITY."			
OWNERS: DELLIT FRANCES D			
PO BOX 47			
SUMATRA MT 59083 DELLIT ROBERT D			
DELLIT ROBERT D PO BOX 47			
SUMATRA MT 59083			
PURPOSE (USE): STOCK			
SOURCE:			
WELL SOURCE TYPE: GROUNDWATER			
* PRIORITY DATE:			
TRIORITI DIVIE.			
DECEMBER 19, 1960			
TYPE OF HISTORICAL RIGHT: FILED			
FLOW RATE:			
14.00 CDM ( 02 CDG)			
14.00 GPM ( .03 CFS) * VOLUME:			
VOLUME.			
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED			
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY			
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE			
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY			
THIS WATER SOURCE.			
PERIOD OF USE: JANUARY 01 TO DECEMBER 31			
POINT OF DIVERSION:			
LOT BLK QTR SEC SEC TWP RGE COUNTY			

01	NWNENE 09 09N 33E ROSEBUD
PLACE O	F USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 NWNENE 09 09N 33E 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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 332
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-005598-00\*(CONTINUED)

**REMARKS CONTINUED:** 

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. W005598-00, W005599-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/03/93.

\*

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

\*

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

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

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 333
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

### BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-005599-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: DELL	TT FRANCES D
DELLIT PO BOX 47	MT 59083 ROBERT D  MT 59083 DOMESTIC
SOURCE:	
WELL SOURCE * PRIORITY DATE	TYPE: GROUNDWATER
	BER 19, 1960 HISTORICAL RIGHT: FILED
14.00 C VOLUME:	GPM (.03 CFS)
`	F R OF HOUSEHOLDS: 2 ) JANUARY 01 TO DECEMBER 31
POINT OF DIVER	SION:
LOT BLK	QTR SEC SEC TWP RGE COUNTY
01 NV PLACE OF USE F	VNENE 09 09N 33E ROSEBUD OR DOMESTIC:
ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001	NWNENE 09 09N 33E ROSEBUD

\_\_\_\_

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.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 334
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-005599-00\*(CONTINUED)

REMARKS CONTINUED:

W005598-00, W005599-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/03/93.

\*

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

\* \* \* \* \*

THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE

\* CLAIMED PURPOSE. AVAILABLE DATA SUPPORT A VOLUME OF 2.00 ACRE-FEET. \*

\* \*

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

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

12/09/03 TEMPORARY PRELIMINARY DECREE

PAGE 335

# YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

### ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-005608-00

01

### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

AVAILABILITY."
OWNERS: WALTER EVELYN K
5510 MOON RIDGE TRAIL HUNTLEY MT 59037-9231 WALTER FRANCIS G 5510 MOON RIDGE TRAIL HUNTLEY MT 59037-9231 WALTER RICHARD F 5 S CRESTWOOD DR BILLINGS MT 59102 * PURPOSE (USE): LAWN & GARDEN
SOURCE:
WELL SOURCE TYPE: GROUNDWATER PRIORITY DATE:
APRIL 01, 1949 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
83.30 GPM ( .19 CFS) VOLUME:
.68 AF MAXIMUM ACRES: .25
PERIOD OF USE: MARCH 01 TO NOVEMBER 30
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY

SENWNE 13 06N 40E ROSEBUD

PLACE OF USE FOR LAWN & GARDEN:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
001	.25	SWNWNE 13 06N 40E ROSEBUD	
TOT		****************	
		G ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS	*
		OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN	
		F NO OBJECTIONS ARE FILED.	
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*		*	
		12/09/03	
	TEM	PORARY PRELIMINARY DECREE PAGE 336	
	YELLOWS	TONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS	

BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-005608-00\*(CONTINUED)

# REMARKS CONTINUED:

THE CLAIMED FLOW RATE EXCEEDS THE 35 GPM GUIDELINE FOR THIS PURPOSE AND CANNOT BE CONFIRMED DUE TO A

LACK OF DATA.

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 337 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-005691-00

 $file: ///D/...orn \% 20 and \% 20 Tongue \% 20 Rivers \% 2003\_1114/Decree\_indexes \% 20 as \% 20 is sued \% 20 in \% 20 txt \% 20 file \% 20 format/b42 KJ\_p1.txt [2/10/2010 10:57:55 AM]$ 

### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: JONES WILLIAM B
1055 HIDALGO DR LARAMIE WY 82070 PURPOSE (USE): STOCK
SOURCE:
WELL SOURCE TYPE: GROUNDWATER PRIORITY DATE:
JANUARY 01, 1910 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
45.00 GPM ( .10 CFS) * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NENENW 14 05N 45E CUSTER * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NENENW 14 05N 45E CUSTER REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/17/86.

\*

\* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS

\* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN \*

\* UNRESOLVED IF NO OBJECTIONS ARE FILED.

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 338
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-005691-00\*(CONTINUED)

## REMARKS CONTINUED:

•

\* THE CLAIMED FLOW RATE EXCEEDS THE 35 GPM GUIDELINE \*

FOR THIS PURPOSE AND CANNOT BE CONFIRMED DUE TO A

\* LACK OF DATA.

\* \*

\*

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

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

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 339
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-006174-00

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER

COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: WARREN SHIRLEY L PO BOX 334 HYSHAM MT 59038 PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: FLOOD SOURCE: YELLOWSTONE RIVER SOURCE TYPE: SURFACE WATER PRIORITY DATE: APRIL 17, 1907 TYPE OF HISTORICAL RIGHT: FILED FLOW RATE: 1.200.00 GPM \* VOLUME: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. **CLIMATIC AREA: 1** MAXIMUM ACRES: 100.00 PERIOD OF USE: APRIL 01 TO NOVEMBER 04 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 (GOVT) 4 S2SENE 02 06N 37E TREASURE PUMP \* PLACE OF USE FOR IRRIGATION: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES 001 30.00 NWSW 01 06N 37E TREASURE 002 30.00 NESE 02 06N 37E TREASURE SESE 02 06N 37E TREASURE 003 30.00 4.00 (GOVT) 4 S2SENE 02 06N 37E TREASURE 6.00 (GOVT) 7 E2SWSE 02 06N 37E TREASURE 004 005 TOTAL 100.00

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/17/94.

REMARKS:

# TEMPORARY PRELIMINARY DECREE PAGE 340 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-006174-00\*(CONTINUED)

REMARKS CONTINUED:

\*

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

\*

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

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

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 341
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-006516-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: KURKOWSKI JOSEPH T

PO BOX 801

FORSYTH MT 59327

KURKOWSKI MATTHEW J \*\*\*DECEASED\*\*\* FORSYTH MT 00000 PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: FLOOD \* SOURCE: SPRING, TRIB OF SLAUGHTERHOUSE CREEK SOURCE TYPE: GROUNDWATER PRIORITY DATE: JUNE 01. 1944 TYPE OF HISTORICAL RIGHT: FILED \* FLOW RATE: 42.50 GPM (.09 CFS) THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION. \* VOLUME: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. **CLIMATIC AREA: 1** MAXIMUM ACRES: 2.50 PERIOD OF USE: MAY 01 TO OCTOBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SENESW 30 06N 41E ROSEBUD DEVELOPED SPRING PUMP IS SECONDARY MEANS OF DIVERSION. \* PLACE OF USE FOR IRRIGATION: LOT BLK QTR SEC SEC TWP RGE COUNTY ACRES 001 2.00 W2NESW 30 06N 41E ROSEBUD 002 .50 NENESW 30 06N 41E ROSEBUD TOTAL 2.50 12/09/03 PAGE 342 TEMPORARY PRELIMINARY DECREE YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

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BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-006516-00\*(CONTINUED)

## REMARKS CONTINUED:

\*

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

\*

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

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

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 343 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-006894-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: PETERS	JOE	
SARPY RT		
HYSHAM	MT	59038
PURPOSE (USE): STO	CK	
* SOURCE:		
SARPY CREE	K	

SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

TYPE OF HISTORICAL RIGHT: FILED  * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNWNE 13 01S 37E BIG HORN DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWNWNE 13 01S 37E BIG HORN * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 W2NE 13 01S 37E BIG HORN 002 SWSENE 13 01S 37E BIG HORN REMARKS:
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 344 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42K I

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-006894-00\*(CONTINUED)

**REMARKS CONTINUED:** 

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART, WITHIN THE BOUNDARY OF THE CROW 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.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 345
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-006897-00

\*

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

**OWNERS: NICHOLS TRUST** 

PO BOX 464
HYSHAM MT 59038
PURPOSE (USE): STOCK
SOURCE:

UNNAMED TRIBUTARY OF SARPY CREEK

PRIORITY DATE: JULY 15, 1947 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NENE 33 03N 37E TREASURE DAM RESERVOIR: QTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NENE 33 03N 37E TREASURE CAPACITY: 14.4 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 3.00 ACRES THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC. \* PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY 001 NENE 33 03N 37E TREASURE REMARKS: 12/09/03 PAGE 346 TEMPORARY PRELIMINARY DECREE YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-006897-00\*(CONTINUED)

SOURCE TYPE: SURFACE WATER

**REMARKS CONTINUED:** 

 $file: ///Dl/...orn \% 20 and \% 20 Tongue \% 20 Rivers \% 2003\_1114/Decree\_indexes \% 20 as \% 20 issued \% 20 in \% 20 txt \% 20 file \% 20 format/b42 KJ\_p1.txt [2/10/2010 10:57:55 AM]$ 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/05/85.

### NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/07/94.

\*

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

\*

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

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

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 347
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-006898-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: NICHOLS TRUST

PO BOX 464

HYSHAM MT 59038

PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: WATER SPREADING

SOURCE:

RAINWATER COULEE

SOURCE TYPE: SURFACE WATER

PRIORITY DATE:
JULY 15, 1949 TYPE OF HISTORICAL RIGHT: FILED FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. VOLUME:
CLIMATIC AREA: 1 MAXIMUM ACRES: 9.10
PERIOD OF USE: MARCH 01 TO NOVEMBER 19
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNWNW 28 03N 37E TREASURE DIKE PLACE OF USE FOR IRRIGATION:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 9.10 NWNW 28 03N 37E TREASURE
TOTAL 9.10 REMARKS:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLE-MENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS OF THE CLAIMANT'S TOTAL 151.40 ACRES. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 348
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-006898-00\*(CONTINUED)

### **REMARKS CONTINUED:**

VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. W006898-00, W006899-00, W006900-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/05/85.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/07/94.

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 349
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-006899-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: NICHOLS TRUST

PO BOX 464

HYSHAM MT 59038

\* PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: WATER SPREADING * SOURCE:
UNNAMED TRIBUTARY OF SARPY CREEK SOURCE TYPE: SURFACE WATER
ALSO KNOWN AS COX COULEE PRIORITY DATE:
JULY 15, 1949 TYPE OF HISTORICAL RIGHT: FILED * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING.  * VOLUME:
44.62 AF CLIMATIC AREA: 1
THE VOLUME OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 2.3 ACRE-FEET PER ACRE GUIDELINE FOR WATER SPREADING. THE VOLUME MAY BE CONTESTED BY PROPER OBJECTION.  MAXIMUM ACRES: 19.40
PERIOD OF USE: MARCH 01 TO NOVEMBER 19
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSENE 32 03N 37E TREASURE DIKE * PLACE OF USE FOR IRRIGATION:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 19.40 E2NE 33 03N 37E TREASURE
TOTAL 19.40 REMARKS:
12/09/03 TEMPORA RW PRELIMINARY DECREE
TEMPORARY PRELIMINARY DECREE PAGE 350 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

 $file: ///D| ... orn \% 20 and \% 20 Tongue \% 20 Rivers \% 2003\_1114/Decree\_indexes \% 20 as \% 20 issued \% 20 in \% 20 txt \% 20 file \% 20 format/b42 KJ\_p1.txt[2/10/2010\ 10:57:55\ AM]$ 

WATER\*RIGHT\*NUMBER\*42KJ-W-006899-00\*(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLE-MENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS OF THE CLAIMANT'S TOTAL 151.40 ACRES. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. W006898-00, W006899-00, W006900-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/05/85.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/07/94.

\*

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

\*

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

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

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 351
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-006900-00

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

PO BOX 464 HYSHAM MT 59038 \* PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: WATER SPREADING SOURCE: SARPY CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: **DECEMBER 04, 1915** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. \* VOLUME: 348.22 AF CLIMATIC AREA: 1 THE VOLUME OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 2.3 ACRE-FEET PER ACRE GUIDELINE FOR WATER SPREADING. THE VOLUME MAY BE CONTESTED BY PROPER OBJECTION. MAXIMUM ACRES: 151.40 PERIOD OF USE: MARCH 01 TO NOVEMBER 19 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SESENE 32 03N 37E TREASURE DIKE PLACE OF USE FOR IRRIGATION: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY 

 001
 34.30
 E2NE
 32 03N 37E TREASURE

 002
 12.90
 NWNW
 33 03N 37E TREASURE

 003
 104.20
 W2W2
 28 03N 37E TREASURE

 NWNW 33 03N 37E TREASURE TOTAL 151.40 REMARKS: 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 352

OWNERS: NICHOLS TRUST

 $file: ///D / ... orn \% 20 and \% 20 Tongue \% 20 Rivers \% 2003\_1114 / Decree\_indexes \% 20 as \% 20 is sued \% 20 in \% 20 txt \% 20 file \% 20 format/b42 KJ\_p1.txt [2/10/2010 10:57:55 AM]$ 

YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

BASIN 42KJ

## ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-006900-00\*(CONTINUED)

### REMARKS CONTINUED:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLE-MENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS OF THE CLAIMANT'S TOTAL 151.40 ACRES. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. W006898-00, W006899-00, W006900-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/05/85.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/07/94.

\*

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

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 353
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-008204-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER

COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER PO BOX 201601 HELENA MT 59620-1601 PURPOSE (USE): STOCK \* SOURCE: UNNAMED TRIBUTARY OF ARMELLS CREEK, EAST FORK SOURCE TYPE: SURFACE WATER PRIORITY DATE: APRIL 15, 1940 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** SWNESE 16 01N 40E ROSEBUD 01 DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SWNESE 16 01N 40E ROSEBUD PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY SWNESE 16 01N 40E ROSEBUD \* \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

### 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 354 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-008204-00\*(CONTINUED)

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

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

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 355
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-008205-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER

TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA MT 59620-1601
PURPOSE (USE): STOCK

SOURCE:

WELL SOURCE TYPE: GROUNDWATER
PRIORITY DATE:
APRIL 15, 1940 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
8.00 GPM VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NWNESE 16 01N 40E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNESE 16 01N 40E 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.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 356
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-008205-00\*(CONTINUED)

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF

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

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 357 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-008208-00

### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER

TRUST LAND MANAGEMENT DIVISION PO BOX 201601 MT 59620-1601

HELENA

PURPOSE (USE): STOCK

SOURCE:

CORRAL CREEK

SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

APRIL 15, 1940

TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWNESW 16 02N 40E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWNESW 16 02N 40E ROSEBUD CAPACITY: 12.0 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 2.50 ACRES
THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC.
SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NWNESW 16 02N 40E ROSEBUD

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 358
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-008208-00\*(CONTINUED)

REMARKS CONTINUED:

\*

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

\*

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

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

"NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING

1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 359
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-008209-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: MONTANA. STATE OF BOARD OF LAND COMMISSIONER

TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA MT 59620-1601

PURPOSE (USE): STOCK

\* SOURCE:

UNNAMED TRIBUTARY OF ARMELLS CREEK, EAST FORK SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

APRIL 15, 1940 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

_		
01 RE	E2SWNE 16 01N 40E ROSEBUD DAM SERVOIR:	
	QTR SEC SEC TWP RGE COUNTY	
_	ONSTREAM E2SWNE 16 01N 40E ROSEBUD ACE OF USE FOR STOCK:	
	ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	_
001 ****	E2SWNE 16 01N 40E ROSEBUD ************************************	
	HE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, ATA, OR ISSUES TO REPORT TO THE WATER COURT.  *	*

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 360
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

\*

WATER\*RIGHT\*NUMBER\*42KJ-W-008209-00\*(CONTINUED)

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 361
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-008210-00

WATER RIGHT NOWE

### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER TRUST LAND MANAGEMENT DIVISION PO BOX 201601 HELENA MT 59620-1601 PURPOSE (USE): STOCK SOURCE: WELL SOURCE TYPE: GROUNDWATER PRIORITY DATE: APRIL 15, 1940 TYPE OF HISTORICAL RIGHT: USE FLOW RATE: 10.00 GPM \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY 01 NENENE 16 01N 40E ROSEBUD PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY NENENE 16 01N 40E 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.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 362
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-008210-00\*(CONTINUED)

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 363
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-008211-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER

TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA MT 59620-1601
PURPOSE (USE): STOCK

OKI OSE (OSE). STOC.

SOURCE:

MCCLURE CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:
APRIL 15, 1940 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESWNW 18 02N 39E ROSEBUD DAM RESERVOIR:  QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SESWNW 18 02N 39E ROSEBUD CAPACITY: 8.0 AC-FT DAM HEIGHT: 13 FT SURFACE AREA: 2.00 ACRES
THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC.
SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESWNW 18 02N 39E ROSEBUD
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 364 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER*RIGHT*NUMBER*42KJ-W-008211-00*(CONTINUED)

### REMARKS CONTINUED:

\*

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

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 365
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-008213-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER

TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA MT 59620-1601
PURPOSE (USE): STOCK

SOURCE:

FISHERMAN DAN COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

JULY 15, 1959 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SWSWNW 16 08N 43E ROSEBUD DAM RESERVOIR: QTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SWSWNW 16 08N 43E ROSEBUD CAPACITY: 40.8 AC-FT DAM HEIGHT: 20 FT SURFACE AREA: 6.00 ACRES THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC. SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. RESERVOIR NAME: FISHERMAN DAN RESERVOIR \* PLACE OF USE FOR STOCK: 12/09/03 PAGE 366 TEMPORARY PRELIMINARY DECREE YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-008213-00\*(CONTINUED) PLACE OF USE CONTINUED: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY 001 E2SWNW 16 08N 43E ROSEBUD 002 SWNWNW 16 08N 43E 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 TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 367
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-008214-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER

TRUST LAND MANAGEMENT DIVISION PO BOX 201601
HELENA MT 59620-1601

PURPOSE (USE): STOCK

\* SOURCE:

UNNAMED TRIBUTARY OF SAND CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:

JULY 15, 1959 TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESESE 16 07N 43E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SESESE 16 07N 43E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 E2SESE 16 07N 43E ROSEBUD  ***********************************

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 368
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-008214-00\*(CONTINUED)

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

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 369
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-008215-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER

TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA MT 59620-1601
PURPOSE (USE): STOCK
SOURCE:

UNNAMED TRIBUTARY OF BULL CREEK SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

JULY 15, 1959 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

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

THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNWNW 36 08N 43E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWNWNW 36 08N 43E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNWNW 36 08N 43E ROSEBUD ************************************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  * DATA OR ISSUES TO REPORT TO THE WATER COURT *

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 370
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

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WATER\*RIGHT\*NUMBER\*42KJ-W-008215-00\*(CONTINUED)

- - - - -

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

> 12/09/03 TEMPORARY PRELIMINARY DECREE

PAGE 371

## YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

### ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-008216-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER

TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA MT 59620-1601
PURPOSE (USE): STOCK
\* SOURCE:

UNNAMED TRIBUTARY OF LITTLE PORCUPINE CRK, RYANS FORK SOURCE TYPE: SURFACE WATER
PRIORITY DATE:

JULY 15, 1959
TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SWNWSE 36 11N 40E ROSEBUD DAM

RESERVOIR:

OTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

01 ONSTREAM

SWNWSE 36 11N 40E ROSEBUD

CAPACITY: 26.9 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 5.60 ACRES

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

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

\* PLACE OF USE FOR STOCK:

ACRES LOT BL

LOT BLK QTR SEC SEC TWP RGE COUNTY

001

NWSE 36 11N 40E ROSEBUD

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 372
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-008216-00\*(CONTINUED)

PLACE OF USE CONTINUED:

002

SESWNE 36 11N 40E 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 TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 373
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER TRUST LAND MANAGEMENT DIVISION PO BOX 201601 HELENA MT 59620-1601 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF WILSON CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: JULY 15, 1959 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SWSESE 16 07N 44E ROSEBUD DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SWSESE 16 07N 44E ROSEBUD

CAPACITY: 20.6 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 4.30 ACRES

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

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

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

W2SESE 16 07N 44E ROSEBUD

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 374
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-008219-00\*(CONTINUED)

PLACE OF USE CONTINUED:

002 E2SWSE 16 07N 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 TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 375
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-008221-00

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### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

AVAILABILITY." OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER	
TRUST LAND MANAGEMENT DIVISION	
PO BOX 201601	
HELENA MT 59620-1601	
PURPOSE (USE): STOCK	
SOURCE:	
WELL	
SOURCE TYPE: GROUNDWATER	
PRIORITY DATE:	
JULY 01, 1955	
TYPE OF HISTORICAL RIGHT: USE	
FLOW RATE:	
2.50 GPM	
* VOLUME:	
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY U	SEI
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY	
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE	
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY	
THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31	
PERIOD OF USE: JANUAR I UI TO DECEMBER 31	
POINT OF DIVERSION:	
LOT BLK QTR SEC SEC TWP RGE COUNTY	
01 SENESW 31 11N 34E ROSEBUD PLACE OF USE FOR STOCK:	
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 SENESW 31 11N 34E ROSEBUD	
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\* 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.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 376
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-008221-00\*(CONTINUED)

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 377
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-008222-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER

TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA MT 59620-1601
PURPOSE (USE): STOCK

SOURCE:

UNNAMED TRIBUTARY OF WEST BLACKTAIL CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:
JULY 15, 1935 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESESW 31 11N 34E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SESESW 31 11N 34E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESESW 31 11N 34E ROSEBUD  ***********************************
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 378 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-008222-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT

TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 379
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-008225-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER

TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA MT 59620-1601
PURPOSE (USE): STOCK
SOURCE:

UNNAMED TRIBUTARY OF WHITETAIL CREEK SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

JULY 15, 1959 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 S2SENW 36 08N 44E ROSEBUD DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM S2SENW 36 08N 44E ROSEBUD

CAPACITY: 68.0 AC-FT DAM HEIGHT: 20 FT SURFACE AREA: 10.00 ACRES

\_\_\_\_\_\_

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

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

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SENW 36 08N 44E ROSEBUD

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 380
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-008225-00\*(CONTINUED)

PLACE OF USE CONTINUED:

002 SWNENW 36 08N 44E ROSEBUD 003 SWSWNE 36 08N 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 TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 381
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-008226-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER

TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA MT 59620-1601
PURPOSE (USE): STOCK
SOURCE:

UNNAMED TRIBUTARY OF MUGGINS CREEK SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

JULY 15, 1925 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT C	)F DIV	/ERSION	AND	<b>MEANS</b>	OF	DIV	ERSI	ON:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SWSWSE 16 10N 33E ROSEBUD DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

01 ONSTREAM SWSWSE 16 10N 33E ROSEBUD

CAPACITY: 14.4 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 3.00 ACRES

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

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

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

-----

001 S2SWSE 16 10N 33E ROSEBUD

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 382
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-008226-00\*(CONTINUED)

REMARKS CONTINUED:

\*

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

\*

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

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

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

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 383
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-008230-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER

TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA MT 59620-1601
PURPOSE (USE): STOCK

SOURCE:

BOX CANYON COULEE SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

JULY 15, 1959 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** 01 NENESW 36 09N 42E ROSEBUD **DAM RESERVOIR:** OTR SEC SEC TWP RGE COUNTY NENESW 36 09N 42E ROSEBUD 01 ONSTREAM CAPACITY: 68.0 AC-FT DAM HEIGHT: 20 FT SURFACE AREA: 10.00 ACRES THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC. SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. \* PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY 001 NENESW 36 09N 42E ROSEBUD 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 384 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-008230-00\*(CONTINUED) PLACE OF USE CONTINUED: 002 E2SENW 36 09N 42E ROSEBUD SWSWNE 36 09N 42E 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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DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 385
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-008249-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER

TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA MT 59620-1601
PURPOSE (USE): STOCK

SOURCE:
WELL
SOURCE TYPE: GROUNDWATER
PRIORITY DATE:
JULY 01, 1947
TYPE OF HISTORICAL RIGHT: USE

\_\_\_\_

5.00 GPM

\* VOLUME:

FLOW RATE:

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION:

	LOT BL	X QTR SEC SEC TWP RGE COUNTY	
01 PLA		ESWNW 04 06N 35E TREASURE FOR STOCK:	
	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
001		NESWNW 04 06N 35E TREASURE	_

\*

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

\*

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 386
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-008249-00\*(CONTINUED)

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 387
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-008259-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM

CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

AVAILABILITY." OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER TRUST LAND MANAGEMENT DIVISION PO BOX 201601 MT 59620-1601 HELENA PURPOSE (USE): STOCK SOURCE: HORSE CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: APRIL 15, 1945 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NWNWNW 16 02N 38E TREASURE DAM RESERVOIR: QTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NWNWNW 16 02N 38E TREASURE CAPACITY: 8.0 AC-FT DAM HEIGHT: 13 FT SURFACE AREA: 2.00 ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR

ESTIMATED BY THE DNRC.

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN

ADDITIONAL RESERVOIR DATA. \* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

N2NWNW 16 02N 38E TREASURE

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 388
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-008259-00\*(CONTINUED)

REMARKS CONTINUED:

\*

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

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 389
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-008260-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER TRUST LAND MANAGEMENT DIVISION PO BOX 201601 HELENA MT 59620-1601 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF TRAIL CREEK, MIDDLE FORK SOURCE TYPE: SURFACE WATER PRIORITY DATE: APRIL 15, 1954 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NWSENW 36 03N 38E TREASURE DAM **RESERVOIR:** OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NWSENW 36 03N 38E TREASURE PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES NWSENW 36 03N 38E TREASURE \* \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, \* DATA, OR ISSUES TO REPORT TO THE WATER COURT. \*

## 12/09/03

## TEMPORARY PRELIMINARY DECREE PAGE 390 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-008260-00\*(CONTINUED)

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

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

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 391
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-008261-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER

TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA MT 59620-1601

PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF TRAIL CREEK, MIDDLE FORK SOURCE TYPE: SURFACE WATER
PRIORITY DATE:
APRIL 15, 1954 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.
VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSWSW 36 03N 38E TREASURE DIRECT FROM SOURCE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSWSW 36 03N 38F TREASURE

\*

THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 392 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-008261-00\*(CONTINUED)

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 393
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-008262-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER

TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA MT 59620-1601
PURPOSE (USE): STOCK

SOURCE:

WELL
SOURCE TYPE: GROUNDWATER
PRIORITY DATE:

APRIL 15, 1954
TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:

3.00 GPM
\* VOLUME:

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POIN	NT OF DIVERSION:
	LOT BLK QTR SEC SEC TWP RGE COUNTY
01 PLA	SENWNW 36 03N 38E TREASURE CE OF USE FOR STOCK:
	ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001	SENWNW 36 03N 38E TREASURE

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 394
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-008262-00\*(CONTINUED)

\_ \_ \_ \_

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 395
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-008402-00

.........

IMPORTANT NOTICE YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: HAMMOND IRRIGATION DISTRICT % RITA MARTINS PO BOX 475 FORSYTH MT 59327 PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: MULTIPLE METHODS SOURCE: YELLOWSTONE RIVER SOURCE TYPE: SURFACE WATER PRIORITY DATE: FEBRUARY 24, 1912 TYPE OF HISTORICAL RIGHT: FILED \* FLOW RATE: 162.22 CFS THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION. \* VOLUME: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. CLIMATIC AREA: 1 MAXIMUM ACRES: 4,282.55 PERIOD OF USE: MAY 01 TO OCTOBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY **MEANS** 01 (GOVT) 1 NESESE 12 06N 38E ROSEBUD PUMP PLACE OF USE FOR IRRIGATION: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES 001 234.06 S2 02 06N 39E ROSEBUD

S2NW 02 06N 39E ROSEBUD

002

30.30

003	434.85	03 06N 39E ROSEBUD
004	220.47	S2 04 06N 39E ROSEBUD
005	75.10	SE 05 06N 39E ROSEBUD
006	351.94	07 06N 39E ROSEBUD
007	183.30	08 06N 39E ROSEBUD
800	321.50	09 06N 39E ROSEBUD
009	219.49	10 06N 39E ROSEBUD

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 396
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-008402-00\*(CONTINUED)

```
010
       393.36
                          11 06N 39E ROSEBUD
011
       323.79
                         12 06N 39E ROSEBUD
                         07 06N 40E ROSEBUD
012
       164.15
013
       27.81
                       SW 08 06N 40E ROSEBUD
                       W2 15 06N 40E ROSEBUD
014
       52.70
015
       493.22
                          16 06N 40E ROSEBUD
       472.22
016
                          17 06N 40E ROSEBUD
       117.90
                       N2 18 06N 40E ROSEBUD
017
018
       18.50 (GOVT) 6
                             18 06N 40E ROSEBUD
019
       4.00 (GOVT) 7
                             18 06N 40E ROSEBUD
                             21 06N 40E ROSEBUD
020
       18.56 (GOVT) 1
021
       16.90 (GOVT) 2
                             21 06N 40E ROSEBUD
022
                            21 06N 40E ROSEBUD
        .60 (GOVT) 3
023
                       NW 21 06N 40E ROSEBUD
       11.20
```

## TOTAL 4.282.55

68.83

27.80

024

025

\*

\*

PLACE OF USE CONTINUED:

```
* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
```

NE 21 06N 40E ROSEBUD

NW 22 06N 40E ROSEBUD

42,000 GPM

\*
THE CLAIMED FLOW DATE ADDEADS TO EVOCED THE

\* THE CLAIMED FLOW RATE APPEARS TO EXCEED THE PUMP

\* CAPACITY. AVAILABLE DATA SUPPORT A FLOW RATE OF 93.58

\* CFS. \*

\* CFS. \* \*

\* THE ROSEBUD COUNTY WATER RESOURCES SURVEY (1948)

\* APPEARS TO INDICATE 2 934 10 ACRES IRRIGATED A \*

APPEARS TO INDICATE 2,934.10 ACRES IRRIGATED. A \* DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE. \*

\* USDA AERIAL PHOTOGRAPH NO(S). 178-16, 278-170,

278-175, 278-177, DATED 09/17/79, APPEAR TO INDICATE \*

\* 4,013.30 ACRES IRRIGATED. A DESCRIPTION OF THESE

\* ACRES IS IN THE CLAIM FILE.

<sup>\*</sup> EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

<sup>\*</sup> UNRESOLVED IF NO OBJECTIONS ARE FILED.

\* \* \*

\*

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

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

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 397
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-009332-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: WHALEY JEAN A

————
PO BOX 1316
FORSYTH MT 59327
PURPOSE (USE): STOCK

SOURCE:
WELL
SOURCE TYPE: GROUNDWATER
\* PRIORITY DATE:
DECEMBER 31, 1946

TYPE OF HISTORICAL RIGHT: USE

FLOW R.	ATE:
	15.00 GPM (.03 CFS)
* VOLUM	E:
]	THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
	CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
	THIS WATER SOURCE. OF USE: JANUARY 01 TO DECEMBER 31
	OF DIVERSION:  LOT BLK QTR SEC SEC TWP RGE COUNTY
01 * PLACE 0	SESENW 08 08N 41E ROSEBUD OF USE FOR STOCK:
AC	CRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001	SESENW 08 08N 41E ROSEBUD ************************************
* THE DN	RC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * OR ISSUES TO REPORT TO THE WATER COURT. *

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 398
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

\*

WATER\*RIGHT\*NUMBER\*42KJ-W-009332-00\*(CONTINUED)

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

## 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 399 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009333-00

\_ \_ \_

## IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

AVAILABILITY."
OWNERS: WHALEY JEAN A
PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK
SOURCE:
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
DECEMBER 31, 1949 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
30.00 GPM (.07 CFS) * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NWNESE 09 10N 39E ROSEBUD PLACE OF USE FOR STOCK:

ACRES

001 NWNESE 09 10N 39E 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.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 400
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009333-00\*(CONTINUED)

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 401
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009334-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

PO BOX FORSY PURPOSE (U	
SOURCE:	
WE SOU * PRIORITY I	JRCE TYPE: GROUNDWATER
	CEMBER 31, 1960 PE OF HISTORICAL RIGHT: USE E:
* VOLUME:	5.00 GPM (.03 CFS)
FOF PER CAI THI	S WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED R STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE RRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY S WATER SOURCE.  USE: JANUARY 01 TO DECEMBER 31
POINT OF D	 DIVERSION:
LOT	BLK QTR SEC SEC TWP RGE COUNTY
01 PLACE OF U	SWSESW 09 07N 41E ROSEBUD JSE FOR STOCK:
ACRE	S LOT BLK QTR SEC SEC TWP RGE COUNTY
* THE DNRC * DATA, OR I ******** A BETTER UN YOUR RIGHT	SWSESW 09 07N 41E ROSEBUD  ******************  EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *  ISSUES TO REPORT TO THE WATER COURT. *  **********************************

OWNERS: WHALEY

JEAN

Α

ING TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 402 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 403
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009335-00

OWNERS: WHALEY

IMPORTANT NOTICE

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YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK
SOURCE:
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
DECEMBER 31, 1947 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
7.00 GPM * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USEI

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

01 SWSWSW 35 07N 41E ROSEBUD PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 SWSWSW 35 07N 41E ROSEBUD 002 SENENE 03 07N 41E ROSEBUD

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\*

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

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 404
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009335-00\*(CONTINUED)

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 405
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

## ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009336-00

IMPORTANT NOTICE YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER
TOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAT HAVE CHANGES FROM TOUR WATER
RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.
OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." OWNERS: WHALEY JEAN A
PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK
SOURCE:
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
DECEMBER 31, 1960 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
7.00 GPM * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: APRIL 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NENWSW 23 09N 40E ROSEBUD PLACE OF USE FOR STOCK:

 $file: ///D / ... orn \% 20 and \% 20 Tongue \% 20 Rivers \% 2003\_1114 / Decree\_indexes \% 20 as \% 20 issued \% 20 in \% 20 txt \% 20 file \% 20 format/b42 KJ\_p1.txt [2/10/2010~10:57:55~AM]$ 

LOT BLK QTR SEC SEC TWP RGE COUNTY

NENWSW 23 09N 40E ROSEBUD \*

**ACRES** 

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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.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 406
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009336-00\*(CONTINUED)

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 407
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

ABSTRACT OF WATER RIGHT CLAI WATER\*RIGHT\*NUMBER\*42KJ-W-009337-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: WHALEY JEAN A

PO BOX 1316

FORSYTH MT 59327

PURPOSE (USE): STOCK

SOURCE:
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
DECEMBER 31, 1946
TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
15.00 GPM ( .03 CFS)
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 SWSESE 11 07N 41E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSESE 11 07N 41E ROSEBUD  ***********************************
A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY CO

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 408
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009337-00\*(CONTINUED)

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 409
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009338-00

**IMPORTANT NOTICE** 

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YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

PO BOX 1316
FORSYTH MT 59327
PURPOSE (USE): STOCK
SOURCE:
WELL
SOURCE TYPE: GROUNDWATER
PRIORITY DATE:
TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:
15.00 GPM ( .03 CFS)
VOLUME:

OWNERS: WHALEY

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POIN	NT OF DIVERSION:	
	LOT BLK QTR SEC SEC TWP RGE COUNTY	
01 SWNENW 21 08N 41E ROSEBUD PLACE OF USE FOR STOCK:		
	ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001	SWNENW 21 08N 41E 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.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 410
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009338-00\*(CONTINUED)

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 411
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-009339-00

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IMPORTANT NOTICE
YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: WHALEY **JEAN** Α PO BOX 1316 MT **FORSYTH** 59327 PURPOSE (USE): STOCK SOURCE: WELL SOURCE TYPE: GROUNDWATER \* PRIORITY DATE: **DECEMBER 31. 1947** TYPE OF HISTORICAL RIGHT: USE FLOW RATE: 8.00 GPM \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY 01 SENENE 10 06N 41E ROSEBUD PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES SENENE 10 06N 41E 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.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 412
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009339-00\*(CONTINUED)

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 413
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

ADDITACT OF WATER MOTIFICED AND OR OF A TRANSPORTED AND OR OF THE AREA TO THE

WATER\*RIGHT\*NUMBER\*42KJ-W-009340-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: WHALEY JEAN A

PO BOX 1316
FORSYTH MT 59327
PURPOSE (USE): STOCK

SOURCE:
WELL

SOURCE TYPE: GROUNDWATER

\* PRIORITY DATE:

TYPE OF HISTORICAL RIGHT: USE FLOW RATE: 1.000.00 GPM \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY 01 NWNWNW 09 10N 39E ROSEBUD PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES 001 NWNWNW 09 10N 39E ROSEBUD \* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS \* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN UNRESOLVED IF NO OBJECTIONS ARE FILED. THE CLAIMED FLOW RATE EXCEEDS THE 35 GPM GUIDELINE FOR THIS PURPOSE AND CANNOT BE CONFIRMED DUE TO A LACK OF DATA. 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 414 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009340-00\*(CONTINUED)

**DECEMBER 31. 1947** 

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

TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 415
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009341-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: WHALEY JEAN A
PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK
SOURCE:
SCHULTZ COULEE
SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
FRIORITI DATE.
DECEMBER 31, 1947
TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.
* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED

FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY

PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENWNE 26 08N 41E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NENWNE 26 08N 41E ROSEBUD * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNE 26 08N 41E ROSEBUD 002 SWSWSE 23 08N 41E ROSEBUD ************************************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  * DATA, OR ISSUES TO REPORT TO THE WATER COURT.  ***********************************

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 416
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009341-00\*(CONTINUED)

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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES. FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

## 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 417 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009342-00

<b>IMPORTANT</b>	MOTICE
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**RESERVOIR:** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

AVAILABILITY."
OWNERS: WHALEY JEAN A
PO BOX 1316
FORSYTH MT 59327
PURPOSE (USE): STOCK
SOURCE:
CHERRY CREEK
SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
JUNE 30, 1965
TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENWNE 17 08N 41E ROSEBUD DAM

## OTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SENWNE 17 08N 41E ROSEBUD

CAPACITY: 24.0 AC-FT DAM HEIGHT: 14 FT SURFACE AREA: 5.00 ACRES

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

PLACE OF USE FOR STOCK:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
•			
001		SENWNE 17 08N 41E ROSEBUD	
002		SWNENE 17 08N 41E ROSEBUD	
003		NWSENE 17 08N 41E ROSEBUD	

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 418 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009342-00\*(CONTINUED)

## REMARKS CONTINUED:

\*

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

\*

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

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

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 419 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

IMPORTANT NOTICE

PLACE OF USE FOR STOCK:

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: WHALEY JEAN A
PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF HORSE CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1947 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENWNW 13 07N 41E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NENWNW 13 07N 41E ROSEBUD

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	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001		NENWAWA 12 OWN 41E DOCEDID
001		NENWNW 13 07N 41E ROSEBUD
002		NWNWNW 13 07N 41E ROSEBUD
003		SWSWSW 12 07N 41E ROSEBUD
****	******	******************
* THE	E DNRC EXA	AMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
* DAT	ΓA, OR ISSU	YES TO REPORT TO THE WATER COURT. *

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 420
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

\*

ABSTRACT OF WATER RIGHT CLAIM

TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

WATER\*RIGHT\*NUMBER\*42KJ-W-009343-00\*(CONTINUED)

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

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

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 421
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009344-00

\_ \_ \_

## IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: WHALEY JEAN Α PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF HORSE CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1947** TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NESWNE 25 07N 41E ROSEBUD DAM RESERVOIR: QTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NESWNE 25 07N 41E ROSEBUD PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY 001 NESWNE 25 07N 41E ROSEBUD S2NWNE 25 07N 41E ROSEBUD \* \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, \* DATA, OR ISSUES TO REPORT TO THE WATER COURT. \*

#### 12/09/03

## TEMPORARY PRELIMINARY DECREE PAGE 422 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009344-00\*(CONTINUED)

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 423
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009345-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: WHALEY JEAN A

PO BOX 1316
FORSYTH MT 59327
PURPOSE (USE): STOCK

SOURCE:

UNNAMED TRIBUTARY OF LITTLE PORCUPINE CREEK

* PRIORITY DATE:
DECEMBER 31, 1947 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENWSW 34 08N 41E ROSEBUD DAM RESERVOIR:  QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENWSW 34 08N 41E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENWSW 34 08N 41E ROSEBUD ************************************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. * ***********************************
12/09/03
TEMPORARY PRELIMINARY DECREE PAGE 424 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009345-00\*(CONTINUED)

SOURCE TYPE: SURFACE WATER

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

TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 425
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009346-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: WHALEY	JEAN	A		
PO BOX 1316				
FORSYTH	MT 5932	27		
PURPOSE (USE): STOC	K			
* SOURCE:				
UNNAMED TRESOURCE TYPE	_		OX COULEE	
* PRIORITY DATE:				
DECEMBER 31	, 1947			
TYPE OF HISTO	ORICAL RI	GHT: USE		
FLOW RATE:				
NO FLOW RAT	E HAS BEF	EN DECREED	FOR THIS USE	FROM
THIS ONSTREA	AM RESERV	VOIR.		
* VOLUME:				

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED

FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY

PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

DEBIOD	OF LISE:	IANIIARV	01  TO	DECEMBER	31
ヒロスいしょう	OF USE.	JANUANI	VI IV	THE STREET	. ) I

POINT OF DIVERSION AND MEA	NS OF DIVERSION	ī:
LOT BLK QTR SEC SEC T	WP RGE COUNTY	MEANS
01 NWNWSW 21 08N RESERVOIR:	41E ROSEBUD	DAM
QTR SEC SEC TWP R	GE COUNTY	
01 ONSTREAM NWNWSW PLACE OF USE FOR STOCK:	21 08N 41E ROSEB	BUD
ACRES LOT BLK QT	R SEC SEC TWP I	RGE COUNTY
**************************************	HIS CLAIM FOUNI	**************************************
* DATA, OR ISSUES TO REPORT T *******************************		

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 426
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009346-00\*(CONTINUED)

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

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

#### 12/09/03

#### TEMPORARY PRELIMINARY DECREE PAGE 427 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

**IMPORTANT NOTICE** 

WATER\*RIGHT\*NUMBER\*42KJ-W-009347-00

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY."
OWNERS: WHALEY JEAN A
PO BOX 1316
FORSYTH MT 59327
PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF LITTLE PORCUPINE CREEK
SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
JUNE 30, 1972
TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNWSE 04 07N 41E ROSEBUD DAM RESERVOIR:
KLOLK VOIK.

#### QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_\_

01 ONSTREAM

SWNWSE 04 07N 41E ROSEBUD

CAPACITY: 9.6 AC-FT DAM HEIGHT: 14 FT SURFACE AREA: 2.00 ACRES

\_\_\_\_\_

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC.
PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SWNWSE 04 07N 41E ROSEBUD

002 NWNWSE 04 07N 41E ROSEBUD

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 428
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009347-00\*(CONTINUED)

REMARKS CONTINUED:

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 429
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009348-00

 $file: ///D / ... orn \% 20 and \% 20 Tongue \% 20 Rivers \% 2003\_1114 / Decree\_indexes \% 20 as \% 20 issued \% 20 in \% 20 txt \% 20 file \% 20 format/b42 KJ\_p1.txt [2/10/2010 10:57:55 AM]$ 

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: WHALEY JEAN Α PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF LITTLE PORCUPINE CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: JUNE 30, 1972 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NESWNE 17 07N 41E ROSEBUD DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NESWNE 17 07N 41E ROSEBUD PLACE OF USE FOR STOCK:

LOT BLK OTR SEC SEC TWP RGE COUNTY

ACRES

\_\_\_\_\_

001 002 NESWNE 17 07N 41E ROSEBUD NWSWNE 17 07N 41E ROSEBUD

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 430
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009348-00\*(CONTINUED)

#### REMARKS CONTINUED:

\*

- \* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS

  \* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
- \* UNRESOLVED IF NO OBJECTIONS ARE FILED.

\*

\* \*

\* RESERVOIR APPEARS WASHED OUT ON USDA AERIAL

PHOTOGRAPH NO. 478-9, DATED 05/07/80.

\*

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 431
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009349-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: WHALEY JEAN PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF LITTLE PORCUPINE CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: JULY 31, 1949 TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SWSENE 03 07N 41E ROSEBUD DAM RESERVOIR: QTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SWSENE 03 07N 41E ROSEBUD CAPACITY: 16.8 AC-FT DAM HEIGHT: 14 FT SURFACE AREA: 3.50 ACRES THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN

 $file: ///Dl/...orn \% 20 and \% 20 Tongue \% 20 Rivers \% 2003\_1114/Decree\_indexes \% 20 as \% 20 issued \% 20 in \% 20 txt \% 20 file \% 20 format/b42 KJ\_p1.txt [2/10/2010 10:57:55 AM]$ 

ESTIMATED BY THE DNRC.

PLACE OF USE FOR STOCK:

ACKES LOT BEK QTK SEC SEC TWI KOE COUNTY

001 SWSENE 03 07N 41E ROSEBUD 002 NWSENE 03 07N 41E ROSEBUD 003 SESENE 03 07N 41E ROSEBUD

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 432
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-009349-00\*(CONTINUED)

#### REMARKS CONTINUED:

\*

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

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 433
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009350-00

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

AVAILABILITY." OWNERS: WHALEY JEAN A
PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK
SOURCE:
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
DECEMBER 31, 1949 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
15.00 GPM ( .03 CFS) * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 SESESE 35 07N 41E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESESE 35 07N 41E 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

ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF

12/09/03
TEMPORARY PRELIMINARY DECREE PAGE 434
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT

## BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009350-00\*(CONTINUED)

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 435
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-009351-00

IMPORTANT NOTICE

JEAN

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YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

PO BOX 1316			
FORSYTH	MT	59327	
PURPOSE (USE): STOCI	X		
SOURCE:			
WELL			
SOURCE TYPE	GRC	DUNDWAT	ER
* PRIORITY DATE:	· OIT	701\D \\111	210
DECEMBER 31.	, 1946		
TYPE OF HISTO	DRICA	L RIGHT:	USE
FLOW RATE:			
15.00 GPM (	03 CE	(2)	
* VOLUME:	.05 CI	5)	

OWNERS: WHALEY

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

01 NWNESE 28 08N 41E ROSEBUD PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 NWNESE 28 08N 41E 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.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 436
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009351-00\*(CONTINUED)

\_ \_ \_ \_

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 437
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

#### BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009352-00

IMPORTANT NOTICE YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER
TOOK WATER RIGHT AS SHOWN ON THIS ABSTRACT MAT HAVE CHANGES FROM TOOK WATER
RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA
SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." OWNERS: WHALEY JEAN A
PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK
SOURCE:
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
DECEMBER 31, 1946 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
7.00 GPM * VOLUME:
VOLUME.
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
TERIOD OF OBE. WINVOIRET OF TO BEOLINDER OF
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NESESE 23 07N 41E ROSEBUD PLACE OF USE FOR STOCK:

NESESE 23 07N 41E ROSEBUD

ACRES

001

LOT BLK QTR SEC SEC TWP RGE COUNTY

\*

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

\*

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 438
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009352-00\*(CONTINUED)

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 439
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-009353-00

**IMPORTANT NOTICE** 

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: WHALEY JEAN A

PO BOX 1316

FORSYTH MT 59327

PURPOSE (USE): STOCK
SOURCE:
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
DECEMBER 31, 1947 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
15.00 GPM ( .03 CFS) * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NENWNW 20 07N 41E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NENWNW 20 07N 41E 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 COMPAR YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO

ING OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 440 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009353-00\*(CONTINUED)

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 441
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

**IMPORTANT NOTICE** 

WATER\*RIGHT\*NUMBER\*42KJ-W-009354-00

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: V	VHALEY	JEAN	A
PO BOX FORSY PURPOSE (U	TH		27
SOURCE:	_		
PRIORITY I	JRCE TYPE DATE:  CEMBER 31; PE OF HISTO	, 1948	DWATER IGHT: USE
VOLUME: 7	.00 GPM		
(NU	.00 AF MBER OF F USE: JANU		LDS: 2 ) D DECEMBER 31

POINT OF DIVERSION:

# LOT BLK QTR SEC SEC TWP RGE COUNTY 01 SWSWSW 35 07N 41E ROSEBUD PLACE OF USE FOR DOMESTIC: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SENENE 03 06N 41E 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 TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 442
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009354-00\*(CONTINUED)

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 443
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009355-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM

CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: WHALEY JEAN A
PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): DOMESTIC
SOURCE:
WELL SOURCE TYPE: GROUNDWATER PRIORITY DATE:
DECEMBER 31, 1946 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
15.00 GPM ( .03 CFS) VOLUME:
3.00 AF (NUMBER OF HOUSEHOLDS: 2) PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 SWNENE 10 06N 41E ROSEBUD PLACE OF USE FOR DOMESTIC:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNENE 10 06N 41E ROSEBUD  ***********************************

\*

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

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

"NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 444
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009355-00\*(CONTINUED)

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 445
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009654-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: WHALEY	JEAN	A
PO BOX 1316 FORSYTH PURPOSE (USE): STOC	MT 5932 K	27
SOURCE:		
UNNAMED TR SOURCE TYPE * PRIORITY DATE:		OF RATTLESNAKE CREE E WATER
DECEMBER 31	, 1947	

TYPE OF HISTORICAL RIGHT: USE

FLOW RATE:

### NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

\_\_\_\_

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

PERIOD OF USE: APRIL 01 TO DECEMBER 31

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

\_\_\_\_\_

01 NESENW 11 10N 39E ROSEBUD DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

01 ONSTREAM NESENW 11 10N 39E ROSEBUD

CAPACITY: 55.2 AC-FT DAM HEIGHT: 14 FT SURFACE AREA: 11.50 ACRES

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

PLACE OF USE FOR STOCK:

ACRES	LOT BLK	QTR SEC SEC TWP RGE COUNTY	
-------	---------	----------------------------	--

 001
 NESENW
 11
 10N
 39E
 ROSEBUD

 002
 NWSWNE
 11
 10N
 39E
 ROSEBUD

 003
 SENENW
 11
 10N
 39E
 ROSEBUD

 004
 SWNWNE
 11
 10N
 39E
 ROSEBUD

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 446
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009654-00\*(CONTINUED)

#### REMARKS CONTINUED:

\*

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

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 447
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-009655-00

**IMPORTANT NOTICE** 

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: WHALEY JEAN A

PO BOX 1316
FORSYTH MT 59327
PURPOSE (USE): STOCK

SOURCE:

RATTLESNAKE CREEK
SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

JULY 31, 1966
TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED

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

PERIOD OF USE: APRIL 01 TO DECEMBER 31

* POIN	OF DIVERSION AND MEANS OF DIVERSION:
	LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 RESE	NENWNE 10 10N 39E ROSEBUD DAM /OIR:
	QTR SEC SEC TWP RGE COUNTY
	STREAM NENWNE 10 10N 39E ROSEBUD ACITY: 65.0 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 12.50 ACRES
ES	CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN IMATED BY THE DNRC. OF USE FOR STOCK:
	CRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 002	S2SWSE 03 10N 39E ROSEBUD E2SWSW 03 10N 39E ROSEBUD
	12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 448
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-009655-00\*(CONTINUED)

REMARKS CONTINUED:

\*

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

\*

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE

DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 449
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009656-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: WHALEY JEAN A

PO BOX 1316
FORSYTH MT 59327
PURPOSE (USE): STOCK

SOURCE:

UNNAMED TRIBUTARY OF STELLAR CREEK
SOURCE TYPE: SURFACE WATER
\* PRIORITY DATE:

APRIL 30, 1940

TYPE OF HISTORICAL RIGHT: USE FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

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

PERIOD OF USE: APRIL 01 TO DECEMBER 31

<sup>\*</sup> POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NWSWNE 13 09N 39E ROSEBUD DAM
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NWSWNE 13 09N 39E ROSEBUD
RESERVOIR/LAKE NAME: ABSOLEN RESERVOIR
CAPACITY: 18.0 AC-FT DAM HEIGHT: 12 FT SURFACE AREA: 4.50 ACRES

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

THE DAM EXTENDS INTO THE NESENW SEC 13 TWP 09N RGE 39E ROSEBUD COUNTY.
PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 450
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009656-00\*(CONTINUED)

PLACE OF USE CONTINUED:

 001
 NWSWNE
 13 09N 39E ROSEBUD

 002
 NESENW
 13 09N 39E ROSEBUD

 003
 SWNWNE
 13 09N 39E ROSEBUD

 004
 SENENW
 13 09N 39E 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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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 451
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009657-00

**IMPORTANT NOTICE** 

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: WHALEY JEAN A	
PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK	
<u></u>	
SOURCE:	
UNNAMED TRIBUTARY OF LITTLE PORCUPINE SOURCE TYPE: SURFACE WATER * PRIORITY DATE:	CREEK
TYPE OF HISTORICAL RIGHT: USE	
FLOW RATE:	
NO FLOW RATE HAS BEEN DECREED FOR THIS	USE FROM
THIS ONSTREAM RESERVOIR.	
* VOLUME:	

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

#### LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 RES	N ERVOIR:	ESENW 34 08N 41E ROSEBUL	D DAM
	QTI	R SEC SEC TWP RGE COUNTY	7
	ONSTREAM CE OF USE 1	NESENW 34 08N 41E ROFOR STOCK:	OSEBUD
	ACRES	LOT BLK QTR SEC SEC	TWP RGE COUNTY
001		NESENW 34 08N 41E	ROSEBUD

12/09/03

\*

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

TEMPORARY PRELIMINARY DECREE PAGE 452
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-009657-00\*(CONTINUED)

\_ \_ \_ \_ \_

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

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 453
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

ABSTRACT OF WATER RIGHT CLAIN WATER\*RIGHT\*NUMBER\*42KJ-W-009658-00

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#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

AVAILABILITY." OWNERS: WHALEY JEAN A PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF RATTLESNAKE CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: AUGUST 31, 1967 TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: APRIL 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NWSWNW 19 10N 40E ROSEBUD DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NWSWNW 19 10N 40E ROSEBUD CAPACITY: 12.0 AC-FT DAM HEIGHT: 14 FT SURFACE AREA: 2.50 ACRES

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

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NWSWNW 19 10N 40E ROSEBUD 002 SWNWNW 19 10N 40E ROSEBUD

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 454
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009658-00\*(CONTINUED)

#### REMARKS CONTINUED:

\*

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

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 455
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009659-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER

SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: WHALEY JEAN PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF HAY CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1955** TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SESESE 11 08N 40E ROSEBUD DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SESESE 11 08N 40E ROSEBUD \* PLACE OF USE FOR STOCK: ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY 001 E2SESE 11 08N 40E ROSEBUD NWSWSW 12 08N 40E ROSEBUD 002 **REMARKS:** 

COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA

#### 12/09/03

## TEMPORARY PRELIMINARY DECREE PAGE 456 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009659-00\*(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE ASSOCIATED. THEY SHARE THE SAME RESERVOIR. W009659-00, W027890-00.

\*

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

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 457
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009660-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: WHALEY JEAN A

FORSYTH MT 59327 PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF STELLAR CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
AUGUST 31, 1959 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USE FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: APRIL 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESESE 21 09N 40E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESESE 21 09N 40E ROSEBUD CAPACITY: 6.0 AC-FT DAM HEIGHT: 12 FT SURFACE AREA: 1.50 ACRES
THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC. PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESESE 21 09N 40E ROSEBUD 002 SENESE 21 09N 40E ROSEBUD
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 458

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YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

## BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009660-00\*(CONTINUED)

REMA	RKS	CONT	INUED:

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

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 459
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-009661-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: WHALEY	JE	AN	A
PO BOX 1316 FORSYTH PURPOSE (USE): STO	MT OCK	59327	
SOURCE:			

UNNAMED TRIBUTARY OF STELLAR CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:
PRIORITI DATE.
JULY 31, 1959 TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: APRIL 01 TO DECEMBER 31
PERIOD OF USE. APRIL 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESWNE 17 09N 40E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SESWNE 17 09N 40E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESWNE 17 09N 40E ROSEBUD  ******************************  THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  DATA, OR ISSUES TO REPORT TO THE WATER COURT.  *
**************************
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 460 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009661-00\*(CONTINUED)

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

OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 461
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-009662-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: WHALEY JEAN A

PO BOX 1316
FORSYTH MT 59327
PURPOSE (USE): STOCK

\*SOURCE:

UNNAMED TRIBUTARY OF CHERRY CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

\*PRIORITY DATE:

DECEMBER 31, 1947
TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWNWNW 22 08N 41E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWNWNW 22 08N 41E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNWNW 22 08N 41E ROSEBUD 002 SWSWSW 15 08N 41E ROSEBUD ************************************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  * DATA, OR ISSUES TO REPORT TO THE WATER COURT.  ***********************************

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 462
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009662-00\*(CONTINUED)

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

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

#### 12/09/03

#### TEMPORARY PRELIMINARY DECREE PAGE 463 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009663-00

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01

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUM ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY."
OWNERS: WHALEY JEAN A
PO BOX 1316
FORSYTH MT 59327
PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF LITTLE PORCUPINE CREEK
SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USES
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

NENENE 12 08N 40E ROSEBUD DAM

RESERVOIR
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\_\_\_\_

### **QTR SEC SEC TWP RGE COUNTY**

\_\_\_\_\_

01 ONSTREAM NENENE 12 08N 40E ROSEBUD

CAPACITY: 16.0 AC-FT DAM HEIGHT: 12 FT SURFACE AREA: 4.00 ACRES

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

\* PLACE OF USE FOR STOCK:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
•			
001		NENENE 12 08N 40E ROSEBUD	
002		E2SESE 01 08N 40E ROSEBUD	
003		SWSWSW 06 08N 41E ROSEBUD	
004		NWNWNW 07 08N 41E ROSEBUD	

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 464
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009663-00\*(CONTINUED)

# REMARKS CONTINUED:

\*

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

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 465
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

# BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009664-00

IMPORTANT NOTICE YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: WHALEY JEAN A PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF STELLAR CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: AUGUST 31, 1969 TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NENENE 29 09N 40E ROSEBUD DAM RESERVOIR:

OTR SEC SEC TWP RGE COUNTY

01 ONSTREAM

NENENE 29 09N 40E ROSEBUD

CAPACITY: 4.0 AC-FT DAM HEIGHT: 12 FT SURFACE AREA: 1.00 ACRES

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

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

NENENE 29 09N 40E ROSEBUD

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 466 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009664-00\*(CONTINUED)

# REMARKS CONTINUED:

\*

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

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 467 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009665-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: WHALEY JEAN PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF STELLAR CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1946** TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: APRIL 01 TO NOVEMBER 24 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NWSENE 19 09N 40E ROSEBUD DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NWSENE 19 09N 40E ROSEBUD CAPACITY: 16.0 AC-FT DAM HEIGHT: 12 FT SURFACE AREA: 4.00 ACRES THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC.

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PLACE OF USE FOR STOCK:

**ACRES** 

001 NWSENE 19 09N 40E ROSEBUD

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 468
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009665-00\*(CONTINUED)

### REMARKS CONTINUED:

\*

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

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 469
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009666-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

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OWNERS: WHALEY JEAN A
PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF STELLAR CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:
JULY 31, 1971 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: APRIL 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSENE 32 09N 40E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWSENE 32 09N 40E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSENE 32 09N 40E ROSEBUD ************************************
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *  **********************************
12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 470 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

# ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009666-00\*(CONTINUED)

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 471
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009667-00

OWNERS: WHALEY JEAN

AUGUST 31, 1959

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

• · · · · · · · · · · · · · · · · · · ·
PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF STELLAR CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:

TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: APRIL 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** 01 NWSESE 18 09N 40E ROSEBUD DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NWSESE 18 09N 40E ROSEBUD CAPACITY: 19.2 AC-FT DAM HEIGHT: 14 FT SURFACE AREA: 4.00 ACRES THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC. PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY 001 NWSESE 18 09N 40E ROSEBUD 002 SWNESE 18 09N 40E ROSEBUD 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 472 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-009667-00\*(CONTINUED)

REMARKS CONTINUED:

\*

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

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT

TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 473
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009668-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNE	CKS: WHALEY JEAN A	
F	O BOX 1316 ORSYTH MT 59327	
FURPC	OSE (USE): STOCK	
SOURC	CE:	
* PRIOR	UNNAMED TRIBUTARY OF RATTLESNAKE CREEK SOURCE TYPE: SURFACE WATER RITY DATE:	
FLOW	AUGUST 31, 1968 TYPE OF HISTORICAL RIGHT: USE RATE:	
	NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.	M

\* VOLUME:

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

PERIOD OF USE: APRIL 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NENWNW 13 10N 39E ROSEBUD DAM RESERVOIR: QTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NENWNW 13 10N 39E ROSEBUD PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES 001 NENWNW 13 10N 39E ROSEBUD 002 NWNWNW 13 10N 39E ROSEBUD \* \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, \* DATA. OR ISSUES TO REPORT TO THE WATER COURT. \*

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 474
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-009668-00\*(CONTINUED)

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING

#### 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 475 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009669-00

IMPO	DTA	NT	NO	TICE
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YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

AVAILABILITY."
OWNERS: WHALEY JEAN A
PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF RATTLESNAKE CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
TRIORITI DATE.
JULY 31, 1968 TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USE FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
PERIOD OF USE: APRIL 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NWNWSE 25 10N 39E ROSEBUD DAM RESERVOIR:

OTR SEC SEC TWP RGE COUNTY

QIN SEE SEE I WI KEE COCKII

01 ONSTREAM NWNWSE 25 10N 39E ROSEBUD PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001	NWNWSE 25 10N 39E ROSEBUD
002	SWNWSE 25 10N 39E ROSEBUD
003	NENWSE 25 10N 39E ROSEBUD
004	SENWSE 25 10N 39E ROSEBUD

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 476
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009669-00\*(CONTINUED)

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 477
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-009670-00

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<sup>\*</sup> THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

<sup>\*</sup> DATA, OR ISSUES TO REPORT TO THE WATER COURT.

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM

CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: WHALEY JEAN A PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK \* SOURCE: UNNAMED TRIBUTARY OF FLAT BOTTOM COULEE SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: JUNE 30, 1951 TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: APRIL 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SWNENW 06 09N 40E ROSEBUD DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SWNENW 06 09N 40E ROSEBUD CAPACITY: 18.2 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 3.50 ACRES

# THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC. PLACE OF USE FOR STOCK:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 002 003		SWNENW 06 09N 40E ROSEBUD NWSENW 06 09N 40E ROSEBUD NESWNW 06 09N 40E ROSEBUD	

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 478
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009670-00\*(CONTINUED)

# **REMARKS CONTINUED:**

\*

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

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 479
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER BIGHT CLAIM

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009671-00

WATER RIGHT NUMBER 42KJ-W-009

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING

COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: WHALEY JEAN Α PO BOX 1316 MT 59327 FORSYTH PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF RATTLESNAKE CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: JUNE 30, 1966 TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: APRIL 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NENWSE 05 09N 40E ROSEBUD DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NENWSE 05 09N 40E ROSEBUD CAPACITY: 20.8 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 4.00 ACRES THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC. PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER

001	NENWSE 05 09N 40E ROSEBUD
002	NWNWSE 05 09N 40E ROSEBUD
003	SENWSE 05 09N 40E ROSEBUD

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 480
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009671-00\*(CONTINUED)

### REMARKS CONTINUED:

\*

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

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 481
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009672-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: WHALEY JEAN A
PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF HORSE CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:
DECEMBER 31, 1945 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESWNE 12 07N 41E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SESWNE 12 07N 41E ROSEBUD CAPACITY: 49.4 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 9.50 ACRES
THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC.  PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNE 12 07N 41E ROSEBUD
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 482

 $file: ///D / ... orn \% 20 and \% 20 Tongue \% 20 Rivers \% 2003\_1114 / Decree\_indexes \% 20 as \% 20 issued \% 20 in \% 20 txt \% 20 file \% 20 format/b42 KJ\_p1.txt [2/10/2010\ 10:57:55\ AM]$ 

YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

# BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-009672-00\*(CONTINUED)

_	_	_	_
<b>REMA</b>	RKS	CONT	INUED:

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

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 483
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-010310-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: ZENT, HAROLD FARMS

PO BOX 244

HYSHAM MT 59038

PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: FLOOD

SOURCE:

YELLOWSTONE RIVER

SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

**DECEMBER 06, 1907** 

TYPE OF HISTORICAL RIGHT: DECREED

BOX ELDER IRRIGATION DISTRICT WAS FORMED MAY 19, 1919, AND BOUGHT OUT THE HYSHAM COOP DITCH CO. THIS RIGHT IS BASED ON THE HYSHAM COOP DITCH FILING.
THIS RIGHT WAS DECREED IN TREASURE COUNTY CIVIL CASE 892 WHEN THE BOX ELDER IRRIGATION DISTRICT WAS DISSOLVED ON SEPTEMBER, 27, 1960.

FLOW RATE:

1,315.00 GPM

\* VOLUME:

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

CLIMATIC AREA: 1

MAXIMUM ACRES: 48.50

PERIOD OF USE: APRIL 01 TO OCTOBER 19

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

\_\_\_\_\_

01 (GOVT) 9 NESESE 11 06N 35E TREASURE HEADGATE

WATER FROM YELLOWSTONE CANAL IS CONVEYED THROUGH BOX ELDER DITCH TO THE PLACE OF USE.

DITCH NAME: YELLOWSTONE IRRIGATION DISTRICT CANAL PLACE OF USE FOR IRRIGATION:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
001	7.00	NENE 08 06N 36E TREASURE	
002	28.50	SWNE 10 06N 36E TREASURE	

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 484
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-010310-00\*(CONTINUED)

PLACE OF USE CONTINUED:

003 9.00 SENE 10 06N 36E TREASURE

4.00

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 485
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-010311-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: PV RANCH CO LLC

% THE KROENKE GROUP
1001 CHERRY STREET CENTER #308
COLUMBIA MO 65201
PURPOSE (USE): STOCK

\* SOURCE:

UNNAMED TRIBUTARY OF ALKALI CREEK, NORTH FORK

SOURCE TYPE: SURFACE WATER PRIORITY DATE:
SEPTEMBER 15, 1941 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESESW 01 08N 32E TREASURE DAM RESERVOIR:  QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SESESW 01 08N 32E TREASURE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESESW 01 08N 32E TREASURE REMARKS:
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 486 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER*RIGHT*NUMBER*42KJ-W-010311-00*(CONTINUED)
REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/21/91. WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/10/03.

\*

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

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 487
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-010312-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: PV RANCH CO LLC

% THE KROENKE GROUP
1001 CHERRY STREET CENTER #308
COLUMBIA MO 65201
PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF ALKALI CREEK, NORTH FORK SOURCE TYPE: GROUNDWATER

PRIORITY DATE:

JULY 01, 1936 TYPE OF HISTORICAL RIGHT: USE FLOW RATE: 4.00 GPM

*	V	$\Omega$ I	1	IM	$\mathbf{E}$

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

**PIPELINE** 

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SWSWSW 01 08N 32E TREASURE \* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 SWSWSW 01 08N 32E TREASURE 002 NENWNW 12 08N 32E TREASURE

REMARKS:

\_\_\_\_

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/21/91. WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/10/03.

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\* THE DADGENALMINATION OF THIS OF A DATE OF THE OLD TO SECURE A STREET

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 488
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-010312-00\*(CONTINUED)

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT

PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 489
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-010313-00

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#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: PV RANCH CO LLC

% THE KROENKE GROUP 1001 CHERRY STREET CENTER #308 COLUMBIA MO 65201

PURPOSE (USE): STOCK

\* SOURCE:

UNNAMED TRIBUTARY OF ALKALI CREEK, NORTH FORK SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

JANUARY 01, 1940 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

#### LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS**

01 NWSESE 12 08N 32E TREASURE DAM **RESERVOIR:** QTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NWSESE 12 08N 32E TREASURE \* PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY **ACRES** NWSESE 12 08N 32E TREASURE 001 **REMARKS:** 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 490 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-010313-00\*(CONTINUED)

**REMARKS CONTINUED:** 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/21/91. WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/10/03.

\*

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

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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> 12/09/03 TEMPORARY PRELIMINARY DECREE

PAGE 491

# YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

### ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-010314-00

IMPORTANT NOTIC		IMI	POR'	TAN	ו דע	VO'	TIC
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YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA

**IENT** 

SUPREME COURT.
OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUM
ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY."
OWNERS: PV RANCH CO LLC
OWNERD. I V RUIVEII CO EEC
% THE KROENKE GROUP
1001 CHERRY STREET CENTER #308
COLUMBIA MO 65201
PURPOSE (USE): STOCK
SOURCE:
WELL
SOURCE TYPE: GROUNDWATER
PRIORITY DATE:
THORIT DITE.
TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:
TLOW RATE.
2.00 GPM
* VOLUME:
VOLUME.
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USEI
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
TORVE OF BIVEROIS.
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 SWSWSW 09 08N 33E TREASURE
* PLACE OF USE FOR STOCK:
<del></del>
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

SWSWSW 09 08N 33E TREASURE

001 REMARKS:

\_\_\_\_

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/21/91. WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/10/03.

\*

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

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 492
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-010314-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 493
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-010315-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
OWNERS: JB SOUND AND LIGHTING PRODUCTIONS INC
2232 YELLOWSTONE AVE BILLINGS MT 59102-3910 PURPOSE (USE): STOCK
SOURCE:
WELL SOURCE TYPE: GROUNDWATER PRIORITY DATE:
AUGUST 31, 1938 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
4.00 GPM * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NWNWSW 12 08N 33E TREASURE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNWSW 12 08N 33E TREASURE REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/21/91. NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/26/99. WATER RIGHT OWNERSHIP UPDATE RECEIVED 10/01/01. WATER RIGHT OWNERSHIP UPDATE RECEIVED 06/04/02. ************************************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 494 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-010315-00\*(CONTINUED)

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 495
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-010316-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: PV RANCH CO LLC

% THE KROENK	KE GROU	P	
1001 CHERRY S'	TREET C	ENTER #:	308
COLUMBIA	MO	65201	
PURPOSE (USE): STC	OCK		
SOURCE:			
——— WELL			

SOURCE TYPE: GROUNDWATER PRIORITY DATE:
SEPTEMBER 01, 1944
TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:
4.00 GPM
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USE
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 SWSESE 12 08N 32E TREASURE
* PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSESE 12 08N 32E TREASURE
REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/21/91.
WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/10/03.
*******************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT.
************************
12/09/03
TEMPORARY PRELIMINARY DECREE PAGE 496

TEMPORARY PRELIMINARY DECREE PAGE 496
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-010316-00\*(CONTINUED)

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 497
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-010317-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: GRIERSON, J B CO

PO BOX 346
HYSHAM MT 59038
PURPOSE (USE): STOCK

SOURCE:
WELL
SOURCE TYPE: GROUNDWATER
PRIORITY DATE:
SEPTEMBER 01, 1958
TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:
4.00 GPM

\* VOLUME:

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

	DIVERSION:  T BLK QTR SEC SEC TWP RGE COUNTY
01 * PLACE OF	NWNESE 21 08N 33E TREASURE USE FOR STOCK:
ACR	ES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 REMARKS	NWNESE 21 08N 33E TREASURE :
	E OF WATER RIGHT TRANSFER RECEIVED 08/21/91.
	C EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, ISSUES TO REPORT TO THE WATER COURT.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 498
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-010317-00\*(CONTINUED)

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 499
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: PV RANCH CO LLC % THE KROENKE GROUP 1001 CHERRY STREET CENTER #308 COLUMBIA MO 65201 PURPOSE (USE): STOCK \* SOURCE: UNNAMED TRIBUTARY OF ALKALI CREEK, NORTH FORK SOURCE TYPE: SURFACE WATER PRIORITY DATE: AUGUST 31, 1942 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NWNWNE 20 08N 33E TREASURE DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NWNWNE 20 08N 33E TREASURE

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_\_

001 NWNWNE 20 08N 33E TREASURE

REMARKS:

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 500
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-010318-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/21/91. WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/10/03.

\*

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

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 501
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-010319-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM

CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: PV RANCH CO LLC % THE KROENKE GROUP 1001 CHERRY STREET CENTER #308 COLUMBIA MO 65201 PURPOSE (USE): STOCK \* SOURCE: UNNAMED TRIBUTARY OF STOVE COULEE SOURCE TYPE: SURFACE WATER PRIORITY DATE: AUGUST 31, 1971 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SESENE 21 08N 33E TREASURE DAM RESERVOIR: QTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SESENE 21 08N 33E TREASURE PLACE OF USE FOR STOCK: ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY

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SESENE 21 08N 33E TREASURE

SWSWNW 22 08N 33E TREASURE

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REMARKS:

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 502
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-010319-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/21/91. WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/10/03.

\*

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

\*

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

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

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 503
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

\_ \_ \_

#### **IMPORTANT NOTICE**

WATER\*RIGHT\*NUMBER\*42KJ-W-010320-00

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

AVAILABILITY." OWNERS: PV RANCH CO LLC
% THE KROENKE GROUP 1001 CHERRY STREET CENTER #308 COLUMBIA MO 65201 PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF ALKALI CREEK, NORTH FORK SOURCE TYPE: SURFACE WATER PRIORITY DATE:
SEPTEMBER 01, 1937 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESWNE 13 08N 32E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESWNE 13 08N 32E TREASURE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESWNE 13 08N 32E TREASURE REMARKS:

TEMPORARY PRELIMINARY DECREE PAGE 504
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

# ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-010320-00\*(CONTINUED)

## REMARKS CONTINUED:

\*

\*

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/21/91. WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/10/03.

\*

- \* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
- $^st$  EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN  $^{\circ}$
- \* UNRESOLVED IF NO OBJECTIONS ARE FILED.

\*

\* \* \*

RESERVOIR APPEARS WASHED OUT ON USDA AERIAL

PHOTOGRAPH NO. 779-101, DATED 09/15/79.

\* \* \*

\*

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

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 505
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-010321-00

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
OWNERS: PV RANCH CO LLC
"THE KROENKE GROUP 1001 CHERRY STREET CENTER #308 COLUMBIA MO 65201
PURPOSE (USE): STOCK
SOURCE:
WELL SOURCE TYPE: GROUNDWATER PRIORITY DATE:
AUGUST 31, 1940 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
4.00 GPM * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 SWSENE 21 08N 33E TREASURE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSENE 21 08N 33E TREASURE REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/21/91. WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/10/03. ************************************
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12/09/03
TEMPORARY PRELIMINARY DECREE PAGE 506
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

# BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-010321-00\*(CONTINUED)

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 507
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-010322-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: PV RANCH CO LLC

% THE KROENKE GROUP
1001 CHERRY STREET CENTER #308
COLUMBIA MO 65201
PURPOSE (USE): STOCK

\* SOURCE:

UNNAMED TRIBUTARY OF STOVE COULEE SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

AUGUST 01, 1959
TYPE OF HISTORICAL RIGHT: USE
* FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSWSE 09 08N 33E TREASURE DAM RESERVOIR:  QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSWSE 09 08N 33E TREASURE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSWSE 09 08N 33E TREASURE REMARKS:
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 508 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER*RIGHT*NUMBER*42KJ-W-010322-00*(CONTINUED)
REMARKS CONTINUED:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/21/91. WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/10/03.
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA. OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,

\*

FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 509
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-010323-00

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**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: JB SOUND AND LIGHTING PRODUCTIONS INC

2232 YELLOWSTONE AVE
BILLINGS MT 59102-3910
PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF MUGGINS CREE SOURCE TYPE: SURFACE WATER PRIORITY DATE:
SEPTEMBER 01, 1960 TYPE OF HISTORICAL RIGHT: USE
* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SESENW 12 08N 33E TREASURE DAM RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SESENW 12 08N 33E TREASURE

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 E2SENW 12 08N 33E TREASURE

REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/21/91.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 510
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-010323-00\*(CONTINUED)

**REMARKS CONTINUED:** 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/26/99. WATER RIGHT OWNERSHIP UPDATE RECEIVED 10/01/01. WATER RIGHT OWNERSHIP UPDATE RECEIVED 06/04/02.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 511
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-010324-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

% THE KROENKE GROUP
1001 CHERRY STREET CENTER #308
COLUMBIA MO 65201

OWNERS: PV RANCH CO LLC

\_\_\_\_\_

PURPOSE (USE): STOCK

UNNAMED TRIBUTARY OF ALKALI CREEK, NORTH FORK SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

AUGUST 01, 1943 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

\* SOURCE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

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

THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENWSE 07 08N 33E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENWSE 07 08N 33E TREASURE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENWSE 07 08N 33E TREASURE REMARKS:

TEMPORARY PRELIMINARY DECREE PAGE 512
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-010324-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/21/91. WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/10/03.

\*

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

\*

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

TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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

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

# TEMPORARY PRELIMINARY DECREE PAGE 513 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-010325-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

% THE KROENKE GROUP
1001 CHERRY STREET CENTER #308
COLUMBIA MO 65201
PURPOSE (USE): STOCK

OWNERS: PV RANCH CO LLC

\* SOURCE:

UNNAMED TRIBUTARY OF ALKALI CREEK, NORTH FORK SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

AUGUST 01, 1943 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

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

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

RESERVOIR:	NWSENE U6 U8N 33E TREASURE DAM
Q1	TR SEC SEC TWP RGE COUNTY
01 ONSTREAM * PLACE OF USI	
ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001 REMARKS:	NWSENE 06 08N 33E TREASURE

TEMPORARY PRELIMINARY DECREE PAGE 514
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-010325-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 08/21/91. WATER RIGHT OWNERSHIP UPDATE RECEIVED 01/10/03.

\*

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

\*

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

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 515
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

# ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-010939-00

ACRES

IMPORTANT NOTICE YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER TRUST LAND MANAGEMENT DIVISION PO BOX 201601 MT 59620-1601 HELENA PURPOSE (USE): STOCK \* SOURCE: SPRING, TRIB OF YELLOWSTONE RIVER SOURCE TYPE: SURFACE WATER PRIORITY DATE: APRIL 01, 1972 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS NENWSE 36 07N 40E ROSEBUD DIRECT FROM SOURCE PLACE OF USE FOR STOCK:

LOT BLK QTR SEC SEC TWP RGE COUNTY

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

\*

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 516
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-010939-00\*(CONTINUED)

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 517
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-011009-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER

HELENA MT 59620-1601 PURPOSE (USE): STOCK
SOURCE:
WELL SOURCE TYPE: GROUNDWATER PRIORITY DATE:
JULY 01, 1945 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
2.00 GPM
VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NENWNE 36 03N 36E TREASURE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NENWNE 36 03N 36E TREASURE ************************************
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. * ***********************************

TRUST LAND MANAGEMENT DIVISION

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 518
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-011009-00\*(CONTINUED)

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 519
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-011010-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER

TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA MT 59620-1601
PURPOSE (USE): STOCK

\* SOURCE:

UNNAMED TRIBUTARY OF WEST BEAR CREEK SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

JULY 01, 1960 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION
---

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NWSWSE 16 04N 36E TREASURE DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_\_

01 ONSTREAM NWSWSE 16 04N 36E TREASURE

CAPACITY: 12.0 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 2.50 ACRES

\_\_\_\_\_\_

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC.

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.
PLACE OF USE FOR STOCK:

TERIOR OF CORPTOR

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 NWSWSE 16 04N 36E TREASURE

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 520
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-011010-00\*(CONTINUED)

REMARKS CONTINUED:

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED

"NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 521
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-O-011638-00

**** THIS WATER RIGHT CLAIM HAS BEEN TERMINATED **** OWNERS: WHALEY JEAN A
PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK
SOURCE:
LITTLE PORCUPINE CREEK PRIORITY DATE:
FLOW RATE:
VOLUME:
PERIOD OF USE:
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSW 29 08N 41E ROSEBUD DIRECT FROM SOURCE PLACE OF USE FOR STOCK:
REMARKS:
THIS CLAIMED WATER RIGHT HAS BEEN WITHDRAWN AS IT WAS DUPLICATED BY WATER RIGHT NO. W174256-00.
THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 03/12/82.

 OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 522
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-O-011639-00

\*\*\*\*\* THIS WATER RIGHT CLAIM HAS BEEN TERMINATED \*\*\*\*\* OWNERS: WHALEY JEAN PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK SOURCE: LITTLE PORCUPINE CREEK PRIORITY DATE: FLOW RATE: **VOLUME:** PERIOD OF USE: POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 W2NWSE 32 08N 41E ROSEBUD DIRECT FROM SOURCE 03 NE 05 07N 41E ROSEBUD **DIRECT FROM SOURCE** 04W2 04 07N 41E ROSEBUD DIRECT FROM SOURCE W2 09 07N 41E ROSEBUD DIRECT FROM SOURCE NE 21 07N 41E ROSEBUD DIRECT FROM SOURCE 05 PLACE OF USE FOR STOCK: **REMARKS:** 

THIS CLAIMED WATER RIGHT HAS BEEN WITHDRAWN AS IT WAS DUPLICATED BY WATER RIGHT NO. W174256-00.

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 03/12/82.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED
- \* AS THE CLAIMANT WITHDREW THE CLAIM.

\*

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 523
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-O-011640-00

\*\*\*\*\* THIS WATER RIGHT CLAIM HAS BEEN TERMINATED \*\*\*\*\*

OWNERS: WHALEY JEAN A

PO BOX 1316
FORSYTH MT 59327
PURPOSE (USE): STOCK

SOURCE:
LITTLE PORCUPINE CREEK
PRIORITY DATE:
FLOW RATE:
VOLUME:
PERIOD OF USE:
POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

01

\_\_\_\_\_

S2SE 27 07N 41E ROSEBUD DIRECT FROM SOURCE

MEANS

02	SESE 34 07N 41E ROSEBUD	DIRECT FROM SOURCE			
03	W2NW 35 07N 41E ROSEBUD	DIRECT FROM SOURCE			
04	E2NE 03 06N 41E ROSEBUD	DIRECT FROM SOURCE			
05	S2SW 02 06N 41E ROSEBUD	DIRECT FROM SOURCE			
PLACE OF USE FOR STOCK:					
REMARKS	<b>:</b>				
THIS CLAIMED WATER RIGHT HAS BEEN WITHDRAWN AS IT WAS					

THIS CLAIMED WATER RIGHT HAS BEEN WITHDRAWN AS IT WAS DUPLICATED BY WATER RIGHT NO. W174256-00.

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 03/12/82.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED
- \* AS THE CLAIMANT WITHDREW THE CLAIM.

\*

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 524
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-O-011641-00

\*\*\*\* THIS WATER RIGHT CLAIM HAS BEEN TERMINATED \*\*\*\*\*
OWNERS: WHALEY JEAN A

PO BOX 1316
FORSYTH MT 59327
PURPOSE (USE): STOCK

SOURCE:
RATTLESNAKE CREEK
PRIORITY DATE:
FLOW RATE:
VOLUME:

PERIOD OF USE:

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

\_\_\_\_\_

01	SWSW 29 10N 40E ROSEBUD	DIRECT FROM SOURCE
02	W2 32 10N 40E ROSEBUD	DIRECT FROM SOURCE
03	NENE 05 09N 40E ROSEBUD	DIRECT FROM SOURCE
04	SE 04 09N 40E ROSEBUD	DIRECT FROM SOURCE
05	NENE 09 09N 40E ROSEBUD	DIRECT FROM SOURCE

PLACE OF USE FOR STOCK:

			 		 _
DIL	# A T	\ TT (1			

REMARKS:

THIS CLAIMED WATER RIGHT HAS BEEN WITHDRAWN AS IT WAS DUPLICATED BY WATER RIGHT NO. W174255-00.

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 03/12/82.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED

\* AS THE CLAIMANT WITHDREW THE CLAIM.

\*

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 525
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-O-011642-00

\*\*\*\*\* THIS WATER RIGHT CLAIM HAS BEEN TERMINATED \*\*\*\*\*

OWNERS: WHALEY JEAN A

PO BOX 1316

FORSYTH MT 59327

PURPOSE (USE): STOCK

SOURCE:

PRIORITY DATE:						
FLOW	FLOW RATE:					
VOLU	LUME:					
PERIO	RIOD OF USE:					
POINT OF DIVERSION AND MEANS OF DIVERSION:						
	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS				
01	SWSW 14 09N 39E ROSEBUD DIRE	CT FROM SOURCE				
02	SESW 14 09N 39E ROSEBUD DIREC	T FROM SOURCE				
03	S2SW 13 09N 39E ROSEBUD DIREC	T FROM SOURCE				
04	W2 24 09N 39E ROSEBUD DIRECT	FROM SOURCE				
05	SW 19 09N 40E ROSEBUD DIRECT	FROM SOURCE				
06	NE 30 09N 40E ROSEBUD DIRECT	FROM SOURCE				
07	S2 29 09N 40E ROSEBUD DIRECT	FROM SOURCE				
08	NENE 32 09N 40E ROSEBUD DIREC	T FROM SOURCE				
09	N2N2 33 09N 40E ROSEBUD DIREC	T FROM SOURCE				
10	SWSW 27 09N 40E ROSEBUD DIRE	CT FROM SOURCE				
11	S2NE 34 09N 40E ROSEBUD DIREC	T FROM SOURCE				
PLAC	PLACE OF USE FOR STOCK:					

REMARKS:

STELLAR CREEK

\_\_\_\_

THIS CLAIMED WATER RIGHT HAS BEEN WITHDRAWN AS IT WAS DUPLICATED BY WATER RIGHT NO. W174257-00.

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 03/12/82.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED
- \* AS THE CLAIMANT WITHDREW THE CLAIM.

\*

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03 TEMPORARY PRELIMINARY DECREE

PAGE 526

## YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

### ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-O-011643-00

**** THIS WATER RIGHT CLAIM HAS BEEN TERMINATED **** OWNERS: WHALEY JEAN A			
PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK			
SOURCE:			
LITTLE PORCUPINE CREEK PRIORITY DATE:			
FLOW RATE:			
VOLUME:			
PERIOD OF USE:			
POINT OF DIVERSION AND MEANS OF DIVERSION:			
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS			
01 NWNW 06 08N 41E ROSEBUD DIRECT FROM SOURCE			
02 E2E2 01 08N 40E ROSEBUD DIRECT FROM SOURCE			
03 E2E2 12 08N 40E ROSEBUD DIRECT FROM SOURCE			
04 W2W2 07 08N 41E ROSEBUD DIRECT FROM SOURCE			
PLACE OF USE FOR STOCK:			
REMARKS:			
THIS CLAIMED WATER RIGHT HAS BEEN WITHDRAWN AS IT WAS			

DUPLICATED BY WATER RIGHT NO. W174256-00.

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 03/12/82.

- \* THE DNRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED
- \* AS THE CLAIMANT WITHDREW THE CLAIM.

\*

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT

PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 527
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-O-011644-00

***** OWNERS:	THIS WATER RIGHT CLAIM HAS B WHALEY JEAN A	EEN TERMINATED *****		
FORS	OX 1316 YTH MT 59327 USE): STOCK			
SOURCE:				
RA PRIORITY I	TTLESNAKE CREEK DATE:			
FLOW RAT	<u>'E:</u>			
VOLUME:				
PERIOD OF	USE:			
POINT OF I	 DIVERSION AND MEANS OF DIVER	SION:		
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS				
01	SWNW 03 10N 39E ROSEBUD	DIRECT FROM SOURCE		
02	S2S2 03 10N 39E ROSEBUD	DIRECT FROM SOURCE		
03	W2SW 11 10N 39E ROSEBUD	DIRECT FROM SOURCE		
04	W2W2 13 10N 39E ROSEBUD	DIRECT FROM SOURCE		
05	S2SW 19 10N 40E ROSEBUD	DIRECT FROM SOURCE		
06	W2SW 29 10N 40E ROSEBUD	DIRECT FROM SOURCE		
PLACE OF	USE FOR STOCK:			
REMARKS:				

THIS CLAIMED WATER RIGHT HAS BEEN WITHDRAWN AS IT WAS DUPLICATED BY WATER RIGHT NO. W174255-00.

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 03/12/82.

\*

<sup>\*</sup> THE DNRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED

*	AS THE CLAIMANT WITHDREW THE CLAIM.	*
**	• • • • • • • • • • • • • • • • • • •	*****

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 528
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-O-011645-00

**** THIS WATER RIGHT CLAIM HAS BEEN TERMINATED **** OWNERS: WHALEY JEAN A
PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF RATTLESNAKE CREEK PRIORITY DATE:
FLOW RATE:
VOLUME:
PERIOD OF USE:
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 01 10N 39E ROSEBUD DIRECT FROM SOURCE 02 W2 29 10N 40E ROSEBUD DIRECT FROM SOURCE PLACE OF USE FOR STOCK:
REMARKS:

THIS CLAIMED WATER RIGHT HAS BEEN WITHDRAWN AS IT WAS DUPLICATED BY WATER RIGHT NO. W174254-00.

## THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 03/12/82.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED

\* AS THE CLAIMANT WITHDREW THE CLAIM.

\*

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 529
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-O-011646-00

01

02

03

04

\*\*\*\*\* THIS WATER RIGHT CLAIM HAS BEEN TERMINATED \*\*\*\*\* OWNERS: WHALEY JEAN PO BOX 1316 FORSYTH MT 59327 PURPOSE (USE): STOCK SOURCE: LITTLE PORCUPINE CREEK PRIORITY DATE: FLOW RATE: **VOLUME:** PERIOD OF USE: POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

W2 23 09N 40E ROSEBUD

SESE 22 10N 40E ROSEBUD

E2NE 27 10N 40E ROSEBUD

W2W2 26 10N 40E ROSEBUD

DIRECT FROM SOURCE

DIRECT FROM SOURCE

DIRECT FROM SOURCE

**DIRECT FROM SOURCE** 

PLACE OF USE FOR STOCK:	
REMARKS:	

THIS CLAIMED WATER RIGHT HAS BEEN WITHDRAWN AS IT WAS DUPLICATED BY WATER RIGHT NO. W174256-00.

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS AT THE REQUEST OF THE CLAIMANT ON 03/12/82.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED
- \* AS THE CLAIMANT WITHDREW THE CLAIM.

\*

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 530
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-011916-00

\_ \_ \_

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: F & W ENTERPRISES

% FIRST SECURITY BANK & TRUST MILES CITY MT 59301 PURPOSE (USE): STOCK

SOURCE:

UNNAMED TRIBUTARY OF YELLOWSTONE RIVER

SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31. 1959** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SESESE 26 08N 46E CUSTER DAM RESERVOIR: QTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SESESE 26 08N 46E CUSTER PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY 001 SESESE 26 08N 46E CUSTER REMARKS: THE OWNER NAME WAS AMENDED BY THE CLAIMANT ON 11/03/88. 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 531 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-011916-00\*(CONTINUED) **REMARKS CONTINUED:** NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/22/92.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/03/93.

EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

UNRESOLVED IF NO OBJECTIONS ARE FILED.

\*

CLAIM WAS IMPROPERLY DESIGNATED TO BASIN 42K AND WAS INCLUDED IN THE PRELIMINARY DECREE ISSUED 09/19/85.

\*

\*

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 532
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-012592-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: KOLB BROTHERS

HC 73 BOX 530

HYSHAM MT 59038

PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: FLOOD \* SOURCE:

YELLOWSTONE RIVER

SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

**DECEMBER 06, 1907** 

TYPE OF HISTORICAL RIGHT: DECREED

BOX ELDER IRRIGATION DISTRICT WAS FORMED MAY 19, 1919, AND BOUGHT OUT THE HYSHAM COOP DITCH CO. THIS RIGHT IS BASED ON THE HYSHAM COOP DITCH FILING.
THIS RIGHT WAS DECREED IN TREASURE COUNTY CIVIL CASE 892 WHEN THE BOX ELDER IRRIGATION DISTRICT WAS DISSOLVED ON SEPTEMBER 27, 1960.

FLOW RATE:

10.714.00 GPM

\* VOLUME:

THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

CLIMATIC AREA: 1 MAXIMUM ACRES: 395.10

PERIOD OF USE: APRIL 01 TO OCTOBER 19

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 (GOVT) 9 NESESE 11 06N 35E TREASURE HEADGATE

WATER FROM YELLOWSTONE CANAL IS CONVEYED THROUGH BOX ELDER DITCH TO THE PLACE OF USE.

DITCH NAME: YELLOWSTONE IRRIGATION DISTRICT CANAL \* PLACE OF USE FOR IRRIGATION:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001	107.30	NW 04 06N 36E TREASURE
002	130.70	SW 05 06N 36E TREASURE

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 533
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-012592-00\*(CONTINUED)

PLACE OF USE CONTINUED:

003 157.10

SE 05 06N 36E TREASURE

TOTAL 395.10

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 534
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-012593-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: KOLB OTTO A

MYERS STAR RT

HYSHAM MT 59038

KOLB BROTHERS

HC 73 BOX 530

HYSHAM MT 59038

PURPOSE (USE): STOCK

SOURCE:	
WELL	
SOURCE TYPE: GROUNDWATER	
PRIORITY DATE:	
JANUARY 15, 1920	
TYPE OF HISTORICAL RIGHT: USE	
FLOW RATE:	
15.00 GPM (.03 CFS)	
* VOLUME:	
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USE FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31	ED
POINT OF DIVERSION:	
LOT BLK QTR SEC SEC TWP RGE COUNTY	
01 NESWSW 06 06N 36E TREASURE * PLACE OF USE FOR STOCK:	
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 NESWSW 06 06N 36E TREASURE	
**********************	
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. * ***********************************	

TEMPORARY PRELIMINARY DECREE PAGE 535
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-012593-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED

"NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 536
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-012594-00

**IMPORTANT NOTICE** 

OTTO

Α

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

MYERS STAR RT MT HYSHAM 59038 **KOLB BROTHERS** HC 73 BOX 530 HYSHAM MT 59038 PURPOSE (USE): STOCK \* SOURCE: SPRING, TRIB OF SARPY CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: JANUARY 15, 1920 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

\* VOLUME:

OWNERS: KOLB

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED

FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

۴	POINT	OF DI	VERSIO	N AND	MEANS	OF DIV.	ERSION
_							-

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NWNWSE 09 05N 36E TREASURE DIRECT FROM SOURCE

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NWNWSE 09 05N 36E TREASURE

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 537 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-012594-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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12/09/03

PAGE 538 TEMPORARY PRELIMINARY DECREE YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: KOLB OTTO A

MYERS STAR RT

HYSHAM MT 59038

KOLB BROTHERS HC 73 BOX 530

HYSHAM MT 59038

PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF BOX ELDER CREEK SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

JANUARY 15, 1920

TYPE OF HISTORICAL RIGHT: USE

FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SESWNW 09 05N 36E TREASURE DIRECT FROM SOURCE

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

# 001 SESWNW 09 05N 36E TREASURE

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 539
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-012595-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 540
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-012596-00

# **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: KOLB OTTO A

**MYERS STAR RT** HYSHAM MT 59038 **KOLB BROTHERS** HC 73 BOX 530 MT 59038 HYSHAM PURPOSE (USE): STOCK SOURCE: WELL SOURCE TYPE: GROUNDWATER PRIORITY DATE: MARCH 28, 1964 TYPE OF HISTORICAL RIGHT: FILED FLOW RATE: 5.00 GPM \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY NENESE 09 05N 36E TREASURE \* PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES NENESE 09 05N 36E TREASURE 001 \* \* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS \* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN \* UNRESOLVED IF NO OBJECTIONS ARE FILED. \* 12/09/03 PAGE 541 TEMPORARY PRELIMINARY DECREE YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-012596-00\*(CONTINUED)

# **REMARKS CONTINUED:**

THE PRIORITY DATE MAY BE QUESTIONABLE. THE DATE OF FILING THE FORM GW2. NOTICE OF COMPLETION OF \* GROUNDWATER APPROPRIATION, IS 04/29/64.

\*

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 542 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-012597-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: KOLB OTTO Α

> **MYERS STAR RT** HYSHAM MT

59038

**KOLB BROTHERS** 

HC 73 BOX 530

HYSHAM MT 59038

PURPOSE (USE): STOCK

SOURCE:
WELL
SOURCE TYPE: GROUNDWATER
PRIORITY DATE:
 DECEMBER 23, 1943
TYPE OF HISTORICAL RIGHT: FILED
FLOW RATE:
7.50 CDM
7.50 GPM * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
FOINT OF DIVERSION.
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NWNENW 15 05N 36E TREASURE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNENW 15 05N 36E TREASURE ************************************
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  DATA, OR ISSUES TO REPORT TO THE WATER COURT.  ***********************************
12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 543
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-012597-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 544
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-012598-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: KOLB OTTO A

MYERS STAR RT
HYSHAM MT 59038
KOLB BROTHERS

HC 73 BOX 530 HYSHAM MT 59038

PURPOSE (USE): STOCK

\* SOURCE:

UNNAMED TRIBUTARY OF SARPY CREEK SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

JUNE 15, 1955

TYPE OF HISTORICAL RIGHT: USE

FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE

CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NWSENE 15 05N 36E TREASURE DAM

**RESERVOIR:** 

**QTR SEC SEC TWP RGE COUNTY** 

01 ONSTREAM NWSENE 15 05N 36E TREASURE

CAPACITY: 9.6 AC-FT DAM HEIGHT: 14 FT SURFACE AREA: 2.00 ACRES

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC.

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 NWSENE 15 05N 36E TREASURE

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 545
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-012598-00\*(CONTINUED)

**REMARKS CONTINUED:** 

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 546
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-012599-00

**IMPORTANT NOTICE** 

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: KOLB OTTO A

MYERS STAR RT
HYSHAM MT 59038
KOLB BROTHERS
HC 73 BOX 530
HYSHAM MT 59038
PURPOSE (USE): STOCK

SOURCE:

YELLOWSTONE RIVER

SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

NOVEMBER 08, 1920

TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 04

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SE 01 06N 35E TREASURE DIRECT FROM SOURCE 02 W2 06 06N 36E TREASURE DIRECT FROM SOURCE

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SE 01 06N 35E TREASURE 002 W2 06 06N 36E TREASURE

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 547
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-012599-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 548
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-012603-00

# IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: KOLB OTTO Α

MYERS STAR RT

HYSHAM MT 59038

**KOLB BROTHERS** 

HC 73 BOX 530

HYSHAM MT 59038

PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: FURROW/FLOOD

SOURCE:

YELLOWSTONE RIVER

SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

FEBRUARY 16, 1921

TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE:

5.000.00 GPM

\* VOLUME:

THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE

AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

CLIMATIC AREA: 1

MAXIMUM ACRES: 225.80

PERIOD OF USE: APRIL 01 TO OCTOBER 19

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SWSWSE 01 06N 35E TREASURE PUMP

\* PLACE OF USE FOR IRRIGATION:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
001	33.40	S2SE 01 06N 35E TREASURE	-
001	<i>55.</i> 40	SZSE UI UUN SSE IKEASUKE	
002	34.40	S2NW 06 06N 35E TREASURE	
003	31.80	SWSE 06 06N 35E TREASURE	

TOTAL 225.80

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 549
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-012603-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 550
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-012604-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: KOLB BROTHERS

HC 73 BOX 530 HYSHAM MT 59038 PURPOSE (USE): STOCK
* SOURCE:
SPRING, TRIB OF MILLER COULEE SOURCE TYPE: SURFACE WATER PRIORITY DATE:
JANUARY 15, 1920 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWNESW 34 06N 36E TREASURE DIRECT FROM SOURCE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNESW 34 06N 36E TREASURE REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/25/88.
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. * **********************************
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 551 VELLOWSTONE DIVED RETWEEN DICHODALAND TONGLIE DIVERS

TEMPORARY PRELIMINARY DECREE PAGE 551
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-012604-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 552
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-012605-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: KOLB BROTHERS

HC 73 BOX 530
HYSHAM MT 59038
PURPOSE (USE): STOCK

SOURCE:
WELL
SOURCE TYPE: GROUNDWATER
\* PRIORITY DATE:
JUNE 28, 1963
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE:

15.00 GPM (.03 CFS)
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: MAY 01 TO OCTOBER 04
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NWSENE 32 06N 36E TREASURE  * PLACE OF USE FOR STOCK:  ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
——————————————————————————————————————
001 NWSENE 32 06N 36E TREASURE REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/25/88. ***********************************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *  * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *  **********************************
12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 553
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-012605-00\*(CONTINUED)

\_ \_ \_ \_

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING

1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 554
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-012606-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: MANLEY NICK  $\mathbf{C}$ PO BOX 307 MT 59038 HYSHAM MANLEY JACQUELINE L PO BOX 307 HYSHAM MT 59038-0307 PURPOSE (USE): STOCK SOURCE: WELL SOURCE TYPE: GROUNDWATER PRIORITY DATE: JANUARY 15, 1920 TYPE OF HISTORICAL RIGHT: USE FLOW RATE: 15.00 GPM (.03 CFS) \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 04 POINT OF DIVERSION:

# LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

01 NWSWNE 32 06N 36E TREASURE

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001

NWSWNE 32 06N 36E TREASURE

REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/25/88.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 555
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-012606-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 556
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
\*\*PICHT\*\*NUMBER\*\*42KL W 012607.00

WATER\*RIGHT\*NUMBER\*42KJ-W-012607-00

# IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: MANLEY NICK C PO BOX 307 HYSHAM MT 59038 MANLEY JACQUELINE L PO BOX 307 MT HYSHAM 59038-0307 PURPOSE (USE): STOCK \* SOURCE: SPRING, TRIB OF BOX ELDER CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: JANUARY 15, 1920 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE. OR FROM A DITCH SYSTEM. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** SWSESE 32 06N 36E TREASURE DIRECT FROM SOURCE \* PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

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SWSESE 32 06N 36E TREASURE

001

**REMARKS**:

# NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/25/88.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 557
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-012607-00\*(CONTINUED)

# REMARKS CONTINUED:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/12/00.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 558
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-012608-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

HC 73 BOX 530 HYSHAM MT 59038
PURPOSE (USE): STOCK
* SOURCE:
SPRING, TRIB OF BOX ELDER CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:
JANUARY 15, 1920 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSWSE 33 06N 36E TREASURE DIRECT FROM SOURCE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSWSE 33 06N 36E TREASURE REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/25/88. WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/12/00. ***********************************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *  * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *  **********************************
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 559

OWNERS: KOLB BROTHERS

YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

BASIN 42KJ

# ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-012608-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 560
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-012609-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: MANLEY NICK C

PO BOX 307

HYSHAM MT 59038 MANLEY JACQUELINE L

PO BOX 307

HYSHAM MT 59038-0307

PURPOSE (USE): STOCK

SOURCE:

**BOX ELDER CREEK** 

SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

JANUARY 15, 1920

TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

\* VOLUME:

, - -

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 W2E2 32 06N 36E TREASURE DIRECT FROM SOURCE 02 E2W2 32 06N 36E TREASURE DIRECT FROM SOURCE

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 W2E2 32 06N 36E TREASURE 002 E2W2 32 06N 36E TREASURE

REMARKS:

\_\_\_\_

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 561
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-012609-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/25/88. WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/12/00.

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO

OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 562
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-012611-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: LACKMAN SCOTT W

23 GIBSON RD

HYSHAM MT 59038

LACKMAN AUDREY C

23 GIBSON RD

HYSHAM MT 59038

PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: FLOOD

\* SOURCE:

YELLOWSTONE RIVER

SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

DECEMBER 06, 1907

TYPE OF HISTORICAL RIGHT: DECREED

BOX ELDER IRRIGATION DISTRICT WAS FORMED MAY 19, 1919, BOUGHT OUT THE HYSHAM COOP DITCH CO. THIS RIGHT IS

BASED ON THE HYSHAM COOP DITCH FILING. THIS RIGHT WAS DECREED IN TREASURE COUNTY CIVIL CASE 892 WHEN THE BOX ELDER IRRIGATION DISTRICT WAS DISSOLVED ON SEPTEMBER 27, 1960.

FLOW RATE:

1,120.00 GPM

\* VOLUME:

THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

CLIMATIC AREA: 1

MAXIMUM ACRES: 41.30

PERIOD OF USE: APRIL 01 TO OCTOBER 19

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

"POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 (GOVT) 9 NESESE 11 06N 35E TREASURE HEADGATE

WATER FROM YELLOWSTONE CANAL IS CONVEYED THROUGH BOX ELDER DITCH TO THE PLACE OF USE.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 563
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-012611-00\*(CONTINUED)

POINT OF DIVERSION CONTINUED:

DITCH NAME: YELLOWSTONE IRRIGATION DISTRICT CANAL PLACE OF USE FOR IRRIGATION:

_	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 002	37.10 4.20	SWNE 04 06N 36E TREASURE SENE 04 06N 36E TREASURE	
TOT.	AL 41.30 ARKS:		

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/26/92. WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/29/02.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS.

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT. \*

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 564 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-012612-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS:	KALLEN	TH	EODORE	J
PO B0	OX 30918			
BILLI	NGS	MT	59116	
PURPOSE	(USE): IRRIO	GATIC	N	
TY * SOURCE:	PE OF IRRI	GATIO	ON SYSTE	M: FLOOD
	ELLOWSTO OURCE TYP DATE:		. —	ATER
DI	ECEMBER 0	6, 1907	7	

BOX ELDER IRRIGATION DISTRICT WAS FORMED MAY 19, 1919,

TYPE OF HISTORICAL RIGHT: DECREED

AND BOUGHT OUT THE HYSHAM COOP DITCH CO. THIS RIGHT IS BASED ON THE HYSHAM COOP DITCH FILING. THIS RIGHT WAS DECREED IN TREASURE COUNTY CIVIL CASE 892 WHEN THE BOX ELDER IRRIGATION DISTRICT WAS DISSOLVED ON SEPTEMBER 27, 1960.

FLOW RATE:

1.079.00 GPM

\* VOLUME:

THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

CLIMATIC AREA: 1 MAXIMUM ACRES: 39.80

PERIOD OF USE: APRIL 01 TO OCTOBER 19

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

\_\_\_\_\_

01 (GOVT) 9 NESESE 11 06N 35E TREASURE HEADGATE

WATER FROM YELLOWSTONE CANAL IS CONVEYED THROUGH BOX ELDER DITCH TO THE PLACE OF USE.

DITCH NAME: YELLOWSTONE IRRIGATION DISTRICT CANAL \* PLACE OF USE FOR IRRIGATION:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
001	23.70	NWNE 09 06N 36E TREASURE	
002	14.40	N2NESW 10 06N 36E TREASURE	

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 565
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-012612-00\*(CONTINUED)

PLACE OF USE CONTINUED:

003 1.70 NWSE 10 06N 36E TREASURE

TOTAL 39.80

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT

TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 566
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-012613-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: ICOPINI MARIAN

PO BOX 426
HYSHAM MT 59038
ICOPINI ERNIE
PO BOX 426
HYSHAM MT 59038
PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: FURROW/FLOOD

\* SOURCE:

YELLOWSTONE RIVER
SOURCE TYPE: SURFACE WATER
PRIORITY DATE:

DECEMBER 06, 1907

TYPE OF HISTORICAL RIGHT: DECREED

BOX ELDER IRRIGATION DISTRICT WAS FORMED MAY 19, 1919,

AND BOUGHT OUT THE HYSHAM COOP DITCH CO. THIS RIGHT IS BASED ON THE HYSHAM COOP DITCH FILING.
THIS RIGHT WAS DECREED IN TREASURE COUNTY CIVIL CASE 892 WHEN THE BOX ELDER IRRIGATION DISTRICT WAS DISSOLVED ON SEPTEMBER 7, 1960.

FL	$\Omega$	W	R	$\Delta$	$\Gamma \mathbf{F} \cdot$
	~ /	* *	1.	_	L

3,235.00 GPM

\* VOLUME:

THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

CLIMATIC AREA: 1
MAXIMUM ACRES: 119.30

PERIOD OF USE: APRIL 01 TO OCTOBER 19

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 (GOVT) 9 NESESE 11 06N 35E TREASURE HEADGATE

WATER FROM YELLOWSTONE CANAL IS CONVEYED THROUGH BOX ELDER DITCH TO THE PLACE OF USE.

\* PLACE OF USE FOR IRRIGATION:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 567
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-012613-00\*(CONTINUED)

PLACE OF USE CONTINUED:

001 119.30 SW 04 06N 36E TREASURE

TOTAL 119.30 REMARKS:

\_\_\_\_

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/07/88. WATER RIGHT OWNERSHIP UPDATE RECEIVED 03/23/00.

\* 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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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 568
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-012614-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: HERDEN KENNETH В HC 73 BOX 520 HYSHAM MT 59038 HERDEN TACELE J HC 73 BOX 520 59038 HYSHAM MT \* PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: FLOOD \* SOURCE: YELLOWSTONE RIVER SOURCE TYPE: SURFACE WATER PRIORITY DATE: **DECEMBER 06, 1907** 

TYPE OF HISTORICAL RIGHT: DECREED

BOX ELDER IRRIGATION DISTRICT WAS FORMED MAY 19, 1919, AND BOUGHT OUT THE HYSHAM COOP DITCH CO. THIS RIGHT IS BASED ON THE HYSHAM COOP DITCH FILING. THIS RIGHT WAS DECREED IN TREASURE COUNTY CIVIL CASE 892 WHEN THE BOX ELDER IRRIGATION DISTRICT WAS DISSOLVED ON SEPTEMBER 7, 1960.

FLOW RATE:

1.163.00 GPM

\* VOLUME:

THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

CLIMATIC AREA: 1

MAXIMUM ACRES: 42.90

PERIOD OF USE: APRIL 01 TO OCTOBER 19

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 (GOVT) 9 NESESE 11 06N 35E TREASURE HEADGATE

WATER FROM YELLOWSTONE CANAL IS CONVEYED THROUGH BOX ELDER DITCH TO THE PLACE OF USE.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 569
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-012614-00\*(CONTINUED)

POINT OF DIVERSION CONTINUED:

DITCH NAME: BOX ELDER DITCH \* PLACE OF USE FOR IRRIGATION:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 002 003	7.60 19.80 15.50	SESENW 05 06N 36E TREASURE S2SWNE 05 06N 36E TREASURE S2SENE 05 06N 36E TREASURE	
TOT.	AL 42.90 (ARKS:		

WATER RIGHT OWNERSHIP UPDATE RECEIVED 02/07/00.

\*

<sup>\*</sup> THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 570
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-012615-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: LACKMAN AUDREY C

23 GIBSON RD

HYSHAM MT 59038

LACKMAN SCOTT W

23 GIBSON RD

HYSHAM MT 59038

PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: FLOOD

\* SOURCE:

YELLOWSTONE RIVER

SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

DECEMBER 06, 1907

TYPE OF HISTORICAL RIGHT: DECREED

BOX ELDER IRRIGATION DISTRICT WAS FORMED MAY 19, 1919, AND BOUGHT OUT THE HYSHAM COOP DITCH CO. THIS RIGHT IS BASED ON THE HYSHAM COOP DITCH FILING.
THIS RIGHT WAS DECREED IN TREASURE COUNTY CIVIL CASE 892 WHEN THE BOX ELDER IRRIGATION DISTRICT WAS DISSOLVED ON SEPTEMBER 7, 1960.

FLOW RATE:

3.048.00 GPM

\* VOLUME:

THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

CLIMATIC AREA: 1 MAXIMUM ACRES: 112.10

PERIOD OF USE: APRIL 01 TO OCTOBER 19

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 (GOVT) 9 NESESE 11 06N 35E TREASURE HEADGATE

WATER FROM YELLOWSTONE CANAL IS CONVEYED THROUGH BOX ELDER DITCH TO THE PLACE OF USE.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 571
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-012615-00\*(CONTINUED)

POINT OF DIVERSION CONTINUED:

DITCH NAME: YELLOWSTONE IRRIGATION DISTRICT CANAL \* PLACE OF USE FOR IRRIGATION:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 112.10 SE 04 06N 36E TREASURE

TOTAL 112.10

REMARKS:

WATER RIGHT OWNERSHIP UPDATE RECEIVED 12/31/01.

\*

- st THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 572
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-012619-00

IMPORTANT NOTICE

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

> HYSHAM MT 59038 WHITNEY JAMES A PO BOX 248

> HYSHAM MT 59038

PURPOSE (USE): DOMESTIC

SOURCE:

WELL

SOURCE TYPE: GROUNDWATER

PRIORITY DATE:	
JULY 01, 1940 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:	
20.00 GPM ( .04 CFS) VOLUME:	
3.00 AF (NUMBER OF HOUSEHOLDS: 2) MAXIMUM ACRES: 1.00	
PERIOD OF USE: JANUARY 01 TO DECEMBER 31	
POINT OF DIVERSION:	
LOT BLK QTR SEC SEC TWP RGE COUNTY	
01 NESESE 33 07N 36E TREASURE PLACE OF USE FOR DOMESTIC:	
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 1.00 NESESE 33 07N 36E TREASURE	_
TOTAL 1.00 ***********************************	
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  * DATA, OR ISSUES TO REPORT TO THE WATER COURT.  ***********************************	*

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 573
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-012619-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF

AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 574
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-013552-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER

TRUST LAND MANAGEMENT DIVISION PO BOX 201601 HELENA MT 59620-1601

PURPOSE (USE): STOCK

SOURCE:

MOON CREEK

SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

APRIL 15, 1950

TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** 01 SESENE 14 05N 45E CUSTER DAM **RESERVOIR:** OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SESENE 14 05N 45E CUSTER CAPACITY: 8.6 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 1.80 ACRES THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC. SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SESENE 14 05N 45E CUSTER

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 575
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-013552-00\*(CONTINUED)

# REMARKS CONTINUED:

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 576 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-013913-00

- - -

# IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: SEAMAN	JOHN	L
PO BOX 112		
EDGAR N	MT 59026	5
PURPOSE (USE): IRRIG	ATION	
TYPE OF IRRIC SOURCE:	GATION SY	STEM: FLOOD
YELLOWSTON SOURCE TYPE PRIORITY DATE:		E WATER
DECEMBER 06	*	GHT: DECREED

BOX ELDER IRRIGATION DISTRICT WAS FORMED MAY 19, 1919, AND BOUGHT OUT THE HYSHAM COOP DITCH CO. THIS RIGHT IS BASED ON THE HYSHAM COOP DITCH FILING.
THIS RIGHT WAS DECREED IN TREASURE COUNTY CIVIL CASE 892 WHEN THE BOX ELDER IRRIGATION DISTRICT WAS DISSOLVED ON SEPTEMBER 27, 1960.

FLOW RATE:

4,014.00 GPM

\* VOLUME:

THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

CLIMATIC AREA: 1 MAXIMUM ACRES: 148.30

PERIOD OF USE: APRIL 01 TO OCTOBER 19

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY

**MEANS** 

01 (GOVT) 9 NESESE 11 06N 35E TREASURE HEADGATE

WATER FROM YELLOWSTONE CANAL IS CONVEYED THROUGH BOX ELDER DITCH TO THE PLACE OF USE.

DITCH NAME: YELLOWSTONE IRRIGATION DISTRICT CANAL \* PLACE OF USE FOR IRRIGATION:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001	129.90	NW 08 06N 36E TREASURE
002	18.40	W2NENW 08 06N 36E TREASURE

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 577 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-013913-00\*(CONTINUED)

PLACE OF USE CONTINUED:

TOTAL 148.30

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

> 12/09/03 TEMPORARY PRELIMINARY DECREE

PAGE 578

# YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

# ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-014334-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BOONE, JR STAN

MT	59039
CAROLE	S
MT	59039
FRANK	S
MT	59039
<b>JEANNE</b>	M
MT	59039
TOCK	
	CAROLE  MT FRANK  MT JEANNE  MT

SOURCE:

WELL

SOURCE TYPE: GROUNDWATER

\* PRIORITY DATE:

MARCH 06, 1961

TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE:

20.00 GPM ( .04 CFS)

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION:

# LOT BLK QTR SEC SEC TWP RGE COUNTY

01 NWNENW 27 12N 36E ROSEBUD PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 NWNENW 27 12N 36E ROSEBUD

REMARKS:

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 579
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-014334-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/03/98. WATER RIGHT OWNERSHIP UPDATE RECEIVED 04/06/01.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 580
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-014335-00

# IMPORTANT NOTICE YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF

AVAILABILITY." OWNERS: BOONE, JR STAN PO BOX 96 INGOMAR MT 59039 BOONE CAROLE S PO BOX 96 INGOMAR MT 59039 PURPOSE (USE): STOCK \* SOURCE: SPRING, TRIB OF EAST BLACKTAIL CREEK SOURCE TYPE: GROUNDWATER ALSO KNOWN AS WILKES SPRING PRIORITY DATE: **DECEMBER 27, 1962** TYPE OF HISTORICAL RIGHT: FILED FLOW RATE: 5.00 GPM \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS NWSENW 15 12N 37E ROSEBUD PIPELINE \* PLACE OF USE FOR STOCK:

NWSENW 15 12N 37E ROSEBUD

ACRES

001

LOT BLK OTR SEC SEC TWP RGE COUNTY

REMARKS:
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NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/03/98.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS.
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 581
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-014335-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 582
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-014336-00

### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BOONE, JR STAN
PO BOX 96 INGOMAR MT 59039 BOONE CAROLE S PO BOX 96 INGOMAR MT 59039 PURPOSE (USE): STOCK
* SOURCE:
SPRING, TRIB OF GERMO COULEE SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
DECEMBER 27, 1962 TYPE OF HISTORICAL RIGHT: FILED FLOW RATE:
5.00 GPM VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSENW 18 12N 37E ROSEBUD PIPELINE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSENW 18 12N 37E ROSEBUD REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/03/98.
**************************************
12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 583
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

# ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-014336-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 584
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-014337-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BOONE, JR STAN

PO BOX 96
INGOMAR MT
BOONE CAROLE

PO BOX 96 INGOMAR MT 59039

PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: WATER SPREADING SOURCE:

59039

S

SHORT CREEK

SOURCE TYPE: SURFACE WATER PRIORITY DATE: APRIL 12, 1952 TYPE OF HISTORICAL RIGHT: FILED \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. **VOLUME:** 330.00 AF **CLIMATIC AREA: 1** MAXIMUM ACRES: 220.00 PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SESENE 06 11N 36E ROSEBUD DIKE LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES

\* PLACE OF USE FOR IRRIGATION:

 
 001
 15.00

 002
 135.00

 003
 40.00

 004
 15.00

 005
 15.00
 SWNW 05 11N 36E ROSEBUD SW 05 11N 36E ROSEBUD W2SE 05 11N 36E ROSEBUD E2SE 06 11N 36E ROSEBUD SENE 06 11N 36E ROSEBUD

TOTAL 220.00

REMARKS:

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 585 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-014337-00\*(CONTINUED)

**REMARKS CONTINUED:** 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/03/98.

\* THE FOLLOWING 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. 378-167, DATED 09/24/79,

\* APPEARS TO INDICATE 147.00 ACRES IRRIGATED. A \*

DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE. \*

\* \*

\*

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 586
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-014338-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BOONE, JR STAN

PO BOX 96

INGOMAR MT 59039 BOONE CAROLE S

PO BOX 96

INGOMAR MT 59039

PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: WATER SPREADING

SOURCE: GREAT PORCUPINE CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: APRIL 12, 1952 TYPE OF HISTORICAL RIGHT: FILED \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. VOLUME: 127.50 AF CLIMATIC AREA: 1 MAXIMUM ACRES: 85.00 PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** 01 SWSWNW 04 11N 36E ROSEBUD DIKE \* PLACE OF USE FOR IRRIGATION: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 15.00 S2SWNW 04 11N 36E ROSEBUD

002 38.00 W2SW 04 11N 36E ROSEBUD

003 5.00 SESENE 05 11N 36E ROSEBUD

004 27.00 E2E2SE 05 11N 36E ROSEBUD

TOTAL 85.00

REMARKS:

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 587
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-014338-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/03/98.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 588
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-014339-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BOONE, JR **STAN** PO BOX 96 INGOMAR MT 59039 CAROLE BOONE S PO BOX 96 59039 INGOMAR MT PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: WATER SPREADING SOURCE: INDIAN CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:

APRIL 12, 1952

TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING.

VOLUME:

\_\_\_\_

397.50 AF

CLIMATIC AREA: 1 MAXIMUM ACRES: 265.00

DEDIOD OF HOL

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

\_\_\_\_

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NWNESE 21 12N 36E ROSEBUD DIKE

\* PLACE OF USE FOR IRRIGATION:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001	81.00	E2 21 12N 36E ROSEBUD
002	5.00	W2NWNE 28 12N 36E ROSEBUD
003	66.00	NW 28 12N 36E ROSEBUD
004	68.00	W2SW 28 12N 36E ROSEBUD
005	34.00	W2NW 33 12N 36E ROSEBUD
006	11.00	E2E2NE 32 12N 36E ROSEBUD
TOT.	AL 265.00 IARKS:	

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 589
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-014339-00\*(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS OF THE CLAIMANT'S TOTAL 356.00 ACRES. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. W014339-00, W014341-00.

# NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/03/98.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 590
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-014340-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BOONE, JR STAN

PO BOX 96

INGOMAR MT 59039

BOONE CAROLE PO BOX 96

INGOMAR MT 59039

PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: WATER SPREADING

S

SOURCE:

UNNAMED TRIBUTARY OF GREAT PORCUPINE CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: APRIL 12, 1952 TYPE OF HISTORICAL RIGHT: FILED \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. VOLUME: 112.50 AF **CLIMATIC AREA: 1** MAXIMUM ACRES: 75.00 PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS SWSWNW 34 12N 36E ROSEBUD DIKE 01 PLACE OF USE FOR IRRIGATION: LOT BLK QTR SEC SEC TWP RGE COUNTY ACRES 001 60.00 NE 33 12N 36E ROSEBUD 002 15.00 NESE 33 12N 36E ROSEBUD 75.00 TOTAL **REMARKS:** 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 591 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-014340-00\*(CONTINUED) REMARKS CONTINUED: NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/03/98. \* \* THE FOLLOWING 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. 378-226, DATED 09/24/79,

\*

APPEARS TO INDICATE 49.00 ACRES IRRIGATED. A \* DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

\*

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 592
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-014341-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER.

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BOONE, JR STAN

PO BOX 96

PO BOX 96

INGOMAR MT 59039

BOONE CAROLE

INGOMAR MT 59039

PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: WATER SPREADING

S

SOURCE:

GREAT PORCUPINE CREEK SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

APRIL 12, 1952

TYPE OF HISTORICAL RIGHT: FILED

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING.

VOLUME:

422.00 AF

**CLIMATIC AREA: 1** MAXIMUM ACRES: 211.00

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 N2NWSW 33 12N 36E ROSEBUD DIKE PLACE OF USE FOR IRRIGATION:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
-		
001	62.00	W2 33 12N 36E ROSEBUD
002	36.00	E2E2E2 32 12N 36E ROSEBUD
003	27.00	W2NW 04 11N 36E ROSEBUD
004	7.00	S2SWNW 28 12N 36E ROSEBUD
005	68.00	SW 28 12N 36E ROSEBUD
006	11.00	E2E2NE 05 11N 36E ROSEBUD
_		
TOT	AL 211.00	

**REMARKS**:

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 593 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-014341-00\*(CONTINUED)

REMARKS CONTINUED:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/07/99: PLACE OF USE, MAXIMUM ACRES, VOLUME, TYPE OF IRRIGATION.

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLE-

MENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS OF THE CLAIMANT'S TOTAL 356.00 ACRES. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. W014339-00, W014341-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/03/98.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 594
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-014342-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS:	BOONE	JR	STAN

PO BOX 96

INGOMAR MT 59039 BOONE CAROLE S PO BOX 96 INGOMAR MT 59039 PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: WATER SPREADING \* SOURCE: HANSON COULEE SOURCE TYPE: SURFACE WATER PRIORITY DATE: APRIL 01, 1936 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. VOLUME: 165.00 AF CLIMATIC AREA: 1 MAXIMUM ACRES: 110.00 PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS 01 N2S2NE 26 12N 36E ROSEBUD DIVERSION DAM RESERVOIR: QTR SEC SEC TWP RGE COUNTY 01 ONSTREAM N2S2NE 26 12N 36E ROSEBUD CAPACITY: 68.0 AC-FT DAM HEIGHT: 10 FT SURFACE AREA: 17.00 ACRES THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC. PLACE OF USE FOR IRRIGATION: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 595
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

# ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-014342-00\*(CONTINUED)

# PLACE OF USE CONTINUED:

001	46.00	NE 26 12N 36E ROSEBUD
002	20.00	W2SE 23 12N 36E ROSEBUD
003	7.00	NENW 26 12N 36E ROSEBUD
004	37.00	SW 23 12N 36E ROSEBUD

TOTAL 110.00

REMARKS:

\*

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/07/99: TYPE OF IRRIGATION, PLACE OF USE, MAXIMUM ACRES. AND VOLUME.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 09/03/98.

\*

- \* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS \*
- \* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
- \* UNRESOLVED IF NO OBJECTIONS ARE FILED.

\*

\*

- \* THE ROSEBUD COUNTY WATER RESOURCES SURVEY (1948)
- \* 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 TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

# 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 596 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

# BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-014974-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: HOLLOWELL DOUG K

MYERS RT BOX 620

HYSHAM MT 59038

HOLLOWELL EUGENE L

\*\*\*DECEASED\*\*\*

MYERS RT BOX 620

HYSHAM MT 00000

HOLLOWELL DIANA C

MYERS RT BOX 620

HYSHAM MT 59038

\* PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: FLOOD

SOURCE:

YELLOWSTONE RIVER

SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

**DECEMBER 03, 1909** 

TYPE OF HISTORICAL RIGHT: FILED

\* FLOW RATE:

12,546.00 GPM

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

\* VOLUME:

THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

CLIMATIC AREA: 1

MAXIMUM ACRES: 738.00

PERIOD OF USE: APRIL 25 TO SEPTEMBER 27

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY

**MEANS** 

01 NENENE 36 07N 36E TREASURE PUMP PLACE OF USE FOR IRRIGATION:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 63.00 SE 30 07N 37E TREASURE

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 597
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-014974-00\*(CONTINUED)

PLACE OF USE CONTINUED:

002	160.00	N2 31 07N 37E TREASURE
003	40.00	NW 32 07N 37E TREASURE
004	246.00	S2 29 07N 37E TREASURE
005	229.00	S2 28 07N 37E TREASURE

TOTAL 738.00

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 598
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

IMPORTANT NOTICE

\* PLACE OF USE FOR STOCK:

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BARNES MARIE E
PO BOX 11 BIGHORN MT 59010 PURPOSE (USE): STOCK
* SOURCE:
UNNAMED TRIBUTARY OF SOUTH BEAR CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1959 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNENE 26 04N 36E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWNENE 26 04N 36E TREASURE

ACRES	LOT BLK	OTR SEC	SEC TW	D BCE	COLINTY
ACKES	LOI DLIX	OINBLC		I NOL	COUNT

001

SWNENE 26 04N 36E TREASURE

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 599
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-015015-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 600
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015016-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF

AVAILABILITY." OWNERS: BARNES MARIE E
PO BOX 11 BIGHORN MT 59010 PURPOSE (USE): STOCK
* SOURCE:
UNNAMED TRIBUTARY OF SOUTH BEAR CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1942 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENWNE 34 04N 36E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NENWNE 34 04N 36E TREASURE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NENWNE 34 04N 36E TREASURE  ***********************************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *  * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *  **********************************

# 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 601 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

# BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-015016-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 602 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015017-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER.

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BARNES	MA	RIE	E
PO BOX 11 BIGHORN PURPOSE (USE): STO	MT CK	59010	
SOURCE:			
UNNAMED TI SOURCE TYP * PRIORITY DATE:			F CRYSTAL CREEK WATER

TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENWSE 06 03N 37E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENWSE 06 03N 37E TREASURE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENWSE 06 03N 37E TREASURE  *****************************  THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  DATA, OR ISSUES TO REPORT TO THE WATER COURT.  ***********************************
12/00/02

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 603
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-015017-00\*(CONTINUED)

**DECEMBER 31, 1946** 

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED

"NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 604
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-015019-00

IMPORTANT NOTICE

OWNERS: BARNES MARIE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

PO BOX 11
BIGHORN MT 59010
PURPOSE (USE): STOCK

SOURCE:

UNNAMED TRIBUTARY OF SOUTH BEAR CREEK
SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1943
TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

\* VOLUME:

Ε

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JA	ANUARY 01 TO DECEMBER 31
* POINT OF DIVERS	ION AND MEANS OF DIVERSION:
LOT BLK Q	TR SEC SEC TWP RGE COUNTY MEANS
01 SWSI RESERVOIR:	ENW 35 04N 36E TREASURE DAM
QTR SI	EC SEC TWP RGE COUNTY
01 ONSTREAM * PLACE OF USE FOR	SWSENW 35 04N 36E TREASURE R STOCK:
ACRES I	OT BLK QTR SEC SEC TWP RGE COUNTY
001 002 *****	SWSENW 35 04N 36E TREASURE SESWNW 35 04N 36E TREASURE ************************************
	NATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  * TO REPORT TO THE WATER COURT.  *

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 605
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

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ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-015019-00\*(CONTINUED)

- - - - -

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

> 12/09/03 TEMPORARY PRELIMINARY DECREE

PAGE 606

# YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

# ABSTRACT OF WATER RIGHT CLAIM

IMPORTANT NOTICE

WATER\*RIGHT\*NUMBER\*42KJ-W-015021-00

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: BARNES MARIE E PO BOX 11 MT 59010 **BIGHORN** PURPOSE (USE): STOCK SOURCE: SPRING, TRIB OF SOUTH BEAR CREEK

SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

**DECEMBER 31, 1920** TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

NWNENE 34 04N 36E TREASURE DIRECT FROM SOURCE

PLACE OF USE FOR STOCK:

LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES

\_\_\_\_\_

### 001 NWNENE 34 04N 36E TREASURE

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 607
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015021-00\*(CONTINUED)

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 608
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-015024-00

# **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BARNES MARIE E

PO BOX 11 BIGHORN MT 59010
PURPOSE (USE): STOCK
* SOURCE:
SOUTH BEAR CREEK
SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
DECEMBER 31, 1961
TYPE OF HISTORICAL RIGHT: USE
* FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENESW 35 04N 36E TREASURE DAM
RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENESW 35 04N 36E TREASURE
* PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 S2NESW 35 04N 36E TREASURE
**************************************
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
DATA, OR ISSUES TO REPORT TO THE WATER COURT. ************************************
12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 609 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 610
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-015025-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BARNES	MAR	IE	Е
PO BOX 11			
BIGHORN	MT 5	59010	)
PURPOSE (USE): STO	CK		
SOURCE: WELL			
SOURCE TYP	E: GROI	INDV	WATER
* PRIORITY DATE:	L. GROC	31 <b>(12</b> )	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
DECEMBER 3	1, 1920		

TYPE OF HISTORICAL RIGHT: USE

FLOW RATE.	
5.00 GPM * VOLUME:	
THIS WATER R FOR STOCK W. PER ANIMAL U CARRYING CA THIS WATER S	IGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED ATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE PACITY AND HISTORICAL USE OF THE AREA SERVICED BY OURCE.  ARY 01 TO DECEMBER 31
POINT OF DIVERSION:	
LOT BLK QTR	SEC SEC TWP RGE COUNTY
01 NWSESE * PLACE OF USE FOR ST	06 03N 37E TREASURE FOCK:
ACRES LOT	BLK QTR SEC SEC TWP RGE COUNTY
001 N REMARKS:	NWSESE 06 03N 37E TREASURE
MULTIPLE USES OF RIGHT FOR SEVERA EXTENT OF THE WA	S LISTED FOLLOWING THIS STATEMENT ARE THE SAME RIGHT. THE USE OF THIS AL PURPOSES DOES NOT INCREASE THE ATER RIGHT. RATHER IT DECREES THE ATE AND EXCHANGE THE USE (PURPOSE) OF

THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W015025-00, W015029-00.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

ELOW DATE.

\*

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 611 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-015025-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS

CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 612
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015026-00

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS:	BARNES	MA	KIE	E	
PO B0	OX 11				
BIGH	ORN	MT	59010	)	
PURPOSE	(USE): STO	CK			
SOURCE:					
W	ELL				
SC	<b>DURCE TYP</b>	E: GRO	OUND'	WATER	
PRIORITY	DATE:				
DI	ECEMBER 3	31, 1925			
T	YPE OF HIS	TORICA	AL RIC	GHT: US	βE
FLOW RA	ГЕ:				
	5.00 GPM				
VOLUME:	•				

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NENENE 03 03N 36E TREASURE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NENE 03 03N 36E TREASURE REMARKS:
THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

W015026-00, W015028-00.

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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 613 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-015026-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES. FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

### 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 614 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015027-00

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RESERVOIR:

# IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY"

AVAILABILITY."
OWNERS: BARNES MARIE E
PO BOX 11 BIGHORN MT 59010 PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF CRYSTAL CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1957 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSESE 01 03N 36E TREASURE DAM

	QTR SEC SEC TWP RGE COUNTY	
	ONSTREAM NWSESE 01 03N 36E TREASURE ACE OF USE FOR STOCK:	
	ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001	NWSESE 01 03N 36E TREASURE	
	E DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, TA, OR ISSUES TO REPORT TO THE WATER COURT.	*

12/09/03

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TEMPORARY PRELIMINARY DECREE PAGE 615
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015027-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 616
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-015028-00

IMPORTANT NOTICE

P.O. BOX 1389, BOZEMAN MT 59771-1389.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM

CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BARNES MARIE E
PO BOX 11 BIGHORN MT 59010 PURPOSE (USE): DOMESTIC
SOURCE:
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
DECEMBER 31, 1925 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
5.00 GPM VOLUME:
2.50 AF (NUMBER OF HOUSEHOLDS: 1) MAXIMUM ACRES: 1.50
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NENENE 03 03N 36E TREASURE * PLACE OF USE FOR DOMESTIC:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 1.50 NENE 03 03N 36E TREASURE
TOTAL 1.50 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.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 617
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-015028-00\*(CONTINUED)

**REMARKS CONTINUED:** 

W015026-00, W015028-00.

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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 TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 618
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015029-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BARNES MARIE E

BIGHORN MT 59010 PURPOSE (USE): DOMESTIC
SOURCE:
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
DECEMBER 31, 1920 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
5.00 GPM VOLUME:
2.50 AF (NUMBER OF HOUSEHOLDS: 1) MAXIMUM ACRES: 1.50  PERIOD OF USE: JANUARY 01 TO DECEMBER 09
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NWSESE 06 03N 37E TREASURE PLACE OF USE FOR DOMESTIC:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 1.50 NWSESE 06 03N 37E TREASURE
TOTAL 1.50 REMARKS:
THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE

PO BOX 11

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.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 619
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-015029-00\*(CONTINUED)

## REMARKS CONTINUED:

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\*

\*

W015025-00, W015029-00.

\*

- \* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
- \* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
- UNRESOLVED IF NO OBJECTIONS ARE FILED.

\*

CLAIM FORM NOT NOTARIZED.

\*

THE CLAIMED PERIOD OF USE MAY BE QUESTIONABLE. THE

CLAIMED PERIOD OF USE MAY BE INADEQUATE.

\*

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 620
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015030-00

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: FLY ROY E

PURPOSE (USE): STOCK
SOURCE:
SARPY CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:
OCTOBER 18, 1971 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 E2NENE 04 01N 37E BIG HORN DIRECT FROM SOURCE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 E2NENE 04 01N 37E 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 COMPAR YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 621
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 622
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-015031-00

IMPORTANT NOTICE

ROY

OWNERS: FLY

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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BIGHO PURPOSE (U	ORN MT USE): STOCK	59010			
* SOURCE:					
	NAMED TRIBUTA URCE TYPE: SUR DATE:		CREEK		
	Y 31, 1970 PE OF HISTORICA E:	AL RIGHT: USE			
	FLOW RATE HAS IS ONSTREAM RE		ED FOR THIS U	SE FROM	
THI	S WATER RIGHT	INCLUDES THE	E AMOUNT OF	WATER CONSUM	PTIVELY USED

E

FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:	
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS	
01 NWNWNE 25 02N 36E BIG HORN DAM RESERVOIR:	
QTR SEC SEC TWP RGE COUNTY	
01 ONSTREAM NWNWNE 25 02N 36E BIG HORN * PLACE OF USE FOR STOCK:	
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 NWNWNE 25 02N 36E BIG HORN ************************************	
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  * DATA, OR ISSUES TO REPORT TO THE WATER COURT.  ***********************************	

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 623
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-015031-00\*(CONTINUED)

WATER\*RIGHT\*NUMBER\*42KJ-W-013031-00\*(CONT

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES. FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 624 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015032-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY"

AVAILABILITY."
OWNERS: BRAUER ROGER D
SARPY RT HYSHAM MT 59038 PURPOSE (USE): STOCK
SOURCE:
WELL SOURCE TYPE: GROUNDWATER PRIORITY DATE:
MAY 01, 1944 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
3.00 GPM * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NWSWSW 15 04N 37E TREASURE PLACE OF USE FOR STOCK:

ACRES

NWSWSW 15 04N 37E TREASURE 001

**REMARKS:** 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/23/92.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 625 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-015032-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES. FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 626 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-015040-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA

	RDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT EMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY."	EM OM MET TREESMAN (MET BEGREES IN )B 1 (OTTOE OF
OWNERS: BARNES MARIE	E
PO BOX 11	
BIGHORN MT 59010	
PURPOSE (USE): STOCK	
SOURCE:	
WELL	
SOURCE TYPE: GROUNDY	VATER
* PRIORITY DATE:	
DECEMBER 31, 1945	
TYPE OF HISTORICAL RIG	HT: USE
FLOW RATE:	
5.00 GPM	
* VOLUME:	
THIS WATER RIGHT INCLU	UDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING P	URPOSES AT THE RATE OF 30 GALLONS PER DAY
	AL UNITS SHALL BE BASED ON REASONABLE
	D HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.	DECEMBER 44
PERIOD OF USE: JANUARY 01 TO I	DECEMBER 31
POINT OF DIVERSION:	
LOT BLK QTR SEC SEC TW	VP RGE COUNTY
01 SESENE 10 03N 36E '* * PLACE OF USE FOR STOCK:	ΓREASURE
ACRES LOT BLK QTR	SEC SEC TWP RGE COUNTY
001 SESENE 10	03N 36E TREASURE
REMARKS:	
NOTICE OF WATER RIGHT TRA	NSFER RECEIVED 11/09/87.
	IS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO	•
**********	*********

SUPREME COURT.

12/09/03
TEMPORARY PRELIMINARY DECREE PAGE 627
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

## BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-015040-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 628 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015041-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER.

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BARNES	MA	RIE	E
PO BOX 11 BIGHORN	МТ	59010	
PURPOSE (USE): STO	CK		
SOURCE:			
UNNAMED TI SOURCE TYP * PRIORITY DATE:	_	_	F CRYSTAL CREEK WATER

DECEMBER 31, 1962
TYPE OF HISTORICAL RIGHT: USE
* FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESESE 02 03N 36E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SESESE 02 03N 36E TREASURE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 S2SESE 02 03N 36E TREASURE REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/09/87.
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 629 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-015041-00\*(CONTINUED)

REMARKS CONTINUED:

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO

OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 630
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-015042-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY"

AVAILABILITY."				
OWNERS: BARNES	MARIE	E		
PO BOX 11				
BIGHORN	MT 59010	0		
PURPOSE (USE): STOC	CK			
SOURCE:				
UNNAMED TR	RIBUTARY C	OF SOUTH BE	EAR CREEK	
SOURCE TYPE				
* PRIORITY DATE:	J. Serariez	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
DECEMBER 3	1 1062			
	,	CHT. HCD		
TYPE OF HIST	ORICAL RIC	JHI: USE		
* FLOW RATE:				
NO FLOW RA	TE HAS BEE	N DECREED	FOR THIS U	SE FROM
THIS ONSTRE	AM RESERV	OIR.		
* VOLUME:				

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED

FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENENW 02 03N 36E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENENW 02 03N 36E TREASURE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENENW 02 03N 36E TREASURE REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/09/87.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 631
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-015042-00\*(CONTINUED)

## REMARKS CONTINUED:

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS.
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT

PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 632
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

MARIE

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WATER\*RIGHT\*NUMBER\*42KJ-W-015043-00

IMPORTANT NOTICE

OWNERS: BARNES

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

PO BOX 11 BIGHORN MT 59010 PURPOSE (USE): DOMESTIC
SOURCE:
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
DECEMBER 31, 1949 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
5.00 GPM VOLUME:
1.50 AF (NUMBER OF HOUSEHOLDS: 1) MAXIMUM ACRES: .25
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY

01 SESENE 10 03N 36E TREASURE \* PLACE OF USE FOR DOMESTIC:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 .25 SESENE 10 03N 36E TREASURE

TOTAL .25 REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/09/87.

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 633
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-015043-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 634
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015051-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: KAPPEL JACK E PO BOX 1374 CAREFREE AZ 85377 PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: FLOOD SOURCE: YELLOWSTONE RIVER SOURCE TYPE: SURFACE WATER PRIORITY DATE: **DECEMBER 06. 1907** TYPE OF HISTORICAL RIGHT: DECREED BOX ELDER IRRIGATION DISTRICT WAS FORMED MAY 19, 1919, AND BOUGHT OUT THE HYSHAM COOP DITCH CO. THIS RIGHT IS BASED ON THE HYSHAM COOP DITCH FILING. THIS RIGHT WAS DECREED IN TREASURE COUNTY CIVIL CASE 892 WHEN THE BOX ELDER IRRIGATION DISTRICT WAS DISSOLVED ON SEPTEMBER 27, 1960. FLOW RATE: 4.309.00 GPM \* VOLUME: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. CLIMATIC AREA: 1 MAXIMUM ACRES: 135.00 PERIOD OF USE: APRIL 01 TO OCTOBER 19 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** 01 (GOVT) 9 NESESE 11 06N 35E TREASURE HEADGATE

01 (GOVT) 9 NESESE 11 06N 35E TREASURE HEADGATE

WATER FROM YELLOWSTONE CANAL IS CONVEYED THROUGH BOX ELDER DITCH TO THE PLACE OF USE.

DITCH NAME: YELLOWSTONE IRRIGATION DISTRICT CANAL

## PLACE OF USE FOR IRRIGATION:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001	84.00	NW 10 06N 36E TREASURE
002	3.00	NENWSW 10 06N 36E TREASURE

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 635
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-015051-00\*(CONTINUED)

PLACE OF USE CONTINUED:

003 48.00 NE 09 06N 36E TREASURE

TOTAL 135.00

REMARKS:

\_\_\_\_

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 08/24/01: PLACE OF USE, MAXIMUM ACRES.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 636
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015750-00

## IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: FERGUSON GENE H
PO BOX 726 FORSYTH MT 59327
FERGUSON DICK L PO BOX 726
FORSYTH MT 59327
PURPOSE (USE): DOMESTIC
SOURCE:
SPRING, TRIB OF YELLOWSTONE RIVER SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
DECEMBER 31, 1913 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
7.00 GPM VOLUME:
1.50 AF (NUMBER OF HOUSEHOLDS: 2) PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESWSW 09 06N 38E ROSEBUD SPRING BOX PLACE OF USE FOR DOMESTIC:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESESW 09 06N 38E ROSEBUD REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE ASSOCIATED. THEY SHARE THE SAME SOURCE. W015750-00,

W015751-00.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 637
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015750-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 638
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015751-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: FERGUSON GENE H

PO BOX 726

FORSYTH MT 59327 FERGUSON DICK L	
PO BOX 726	
FORSYTH MT 59327 PURPOSE (USE): STOCK	
SOURCE:	
SPRING, TRIB OF YELLOWSTONE RIVER SOURCE TYPE: GROUNDWATER PRIORITY DATE:	
DECEMBER 31, 1930 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:	
7.00 GPM VOLUME:	
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY US FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31	ED
POINT OF DIVERSION AND MEANS OF DIVERSION:	
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS	
01 SESWSW 09 06N 38E ROSEBUD SPRING BOX PLACE OF USE FOR STOCK:	
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 SESWSW 09 06N 38E ROSEBUD REMARKS:	
THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE ASSOCIATED. THEY SHARE THE SAME SOURCE. W015750-00, W015751-00.	
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  DATA, OR ISSUES TO REPORT TO THE WATER COURT.  ***********************************	
12/00/02	

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 639
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 640
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-015752-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: PATTERSON PAMELA K

PO BOX 2006
3025 OLD HWY 10
FORSYTH MT 59327
PATTERSON TERRY L
PO BOX 3044 RT 2
FORSYTH MT 59327
PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: FLOOD

SOURCE:

YELLOWSTONE RIVER

SOURCE TYPE: SURFACE WATER PRIORITY DATE:

\_\_\_\_\_\_\_\_\_\_

JUNE 10, 1909

TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

4.85 CFS

THE FLOW RATE OF THIS WATER RIGHT

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 MAXIMUM ACRES: 128.00

\_\_\_\_\_

PERIOD OF USE: MAY 01 TO SEPTEMBER 30

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

\_\_\_\_\_

01 NESWSE 08 06N 41E ROSEBUD PUMP PLACE OF USE FOR IRRIGATION:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
001	25.00	SESE 08 06N 41E ROSEBUD	
002	4.00	E2SWSE 08 06N 41E ROSEBUD	
003 004	2.00 2.00	SENESE 08 06N 41E ROSEBUD NENENE 17 06N 41E ROSEBUD	
005	9.00	N2N2NW 16 06N 41E ROSEBUD	

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 641
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-015752-00\*(CONTINUED)

PLACE OF USE CONTINUED:

006 68.00 SW 09 06N 41E ROSEBUD 007 18.00 SWSE 09 06N 41E ROSEBUD

TOTAL 128.00

REMARKS:

\_\_\_\_

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/15/91.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 642
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-015754-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: LACKMAN STEVEN

HC 36 BOX 9001

HATHAWAY MT 59333

LACKMAN JANE HC 36 BOX 9001 HATHAWAY MT 59333

\* PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: FLOOD

SOURCE:

YELLOWSTONE RIVER

SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

APRIL 16, 1920

TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE:

10.00 CFS

\* VOLUME:

THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE

AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

CLIMATIC AREA: 1 MAXIMUM ACRES: 512.00

PERIOD OF USE: APRIL 15 TO OCTOBER 19

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 (GOVT) 5 SESESW 17 06N 44E ROSEBUD PUMP

DITCH NAME: HATHAWAY DITCH PLACE OF USE FOR IRRIGATION:

	ACRES	LOT BLK	QTR SEC SEC TWP RGE COUNTY
001	137.00	F2	2 17 06N 44F ROSERUD

 001
 137.00
 E2
 17 06N 44E ROSEBUD

 002
 217.00
 N2 16 06N 44E ROSEBUD

 003
 158.00
 S2 16 06N 44E ROSEBUD

TOTAL 512.00

REMARKS:

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 643
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015754-00\*(CONTINUED)

## **REMARKS CONTINUED:**

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/01/91. NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/17/98.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS.
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 644
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015755-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: HATHAWAY RANCH

PO BOX 19
HATHAWAY MT 59333
PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: FLOOD

SOURCE:

YELLOWSTONE RIVER SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1909

TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE:

17.50 CFS

\* VOLUME:

THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE

AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

CLIMATIC AREA: 1

MAXIMUM ACRES: 636.00

PERIOD OF USE: APRIL 15 TO OCTOBER 19

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

\_\_\_\_\_

01 (GOVT) 5 SESESW 17 06N 44E ROSEBUD PUMP

DITCH NAME: HATHAWAY DITCH PLACE OF USE FOR IRRIGATION:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 24.00 (GOVT) 9 09 06N 44E ROSEBUD 17.00 (GOVT) 7 002 09 06N 44E ROSEBUD SE 09 06N 44E ROSEBUD 003 120.00 5.00 (GOVT) 5 10 06N 44E ROSEBUD 004 005 20.00 (GOVT) 7 10 06N 44E ROSEBUD 12.00 (GOVT) 8 10 06N 44E ROSEBUD 006 130.00 10.00 70.00 007 S2SE 10 06N 44E ROSEBUD SW 10 06N 44E ROSEBUD 800 19.00 N2SW 15 06N 44E ROSEBUD 009 N2 15 06N 44E ROSEBUD 219.00 010

TOTAL 636.00

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 645
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015755-00\*(CONTINUED)

REMARKS CONTINUED:

\*

<sup>\*</sup> THE FOLLOWING 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. *	
*	*	
*	USDI AERIAL PHOTOGRAPH NO. MA-22-52, DATED 08/07/44, *	
*	APPEARS TO INDICATE 538.20 ACRES IRRIGATED. A *	
*	DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE. *	
*	*	
*	*	

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 646
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015756-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS:	FARNUM	ABNER	G

PO BOX 4

HATHAWAY MT 59333 FARNUM KATHERINE PO BOX 4 MT 59333 HATHAWAY W BOWERS Е PO BOX 183 MT 59301 MILES CITY BOWERS JUDY PO BOX 183 MILES CITY MT 59301 OWNER ABNER G & KATHERINE FARNUM RETAINED. CONTRACT FOR DEED INTEREST. PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: FLOOD SOURCE: YELLOWSTONE RIVER SOURCE TYPE: SURFACE WATER PRIORITY DATE: NOVEMBER 18, 1952 TYPE OF HISTORICAL RIGHT: USE FLOW RATE: 3,500.00 GPM \* VOLUME: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. CLIMATIC AREA: 1 MAXIMUM ACRES: 38.90 PERIOD OF USE: APRIL 15 TO SEPTEMBER 19 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 (GOVT) 5 SESESW 17 06N 44E ROSEBUD PUMP 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 647 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-015756-00\*(CONTINUED) POINT OF DIVERSION CONTINUED: DITCH NAME: HATHAWAY DITCH

 $file: ///D / ... orn \% 20 and \% 20 Tongue \% 20 Rivers \% 2003\_1114 / Decree\_indexes \% 20 as \% 20 issued \% 20 in \% 20 txt \% 20 file \% 20 format/b42 KJ\_p1.txt [2/10/2010 10:57:55 AM]$ 

PLACE OF USE FOR IRRIGATION:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 002 TOTA REM	22.00 16.90 AL 38.90 ARKS:	NWNE 20 06N 44E ROSEBUD NENW 20 06N 44E ROSEBUD	

THE ACRES IRRIGATED WERE AMENDED BY THE CLAIMANT ON 05/08/95.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 02/26/92. NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/06/98.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE DEVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 648
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015757-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: BENNETT BRYON K 78 BENNETT LN HATHAWAY MT 59333 BENNETT III JOSEPH J 127 BENNETT LN HATHAWAY MT 59333 BENNETT MARY L 127 BENNETT LN HATHAWAY MT 59333 \* PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: WATER SPREADING SOURCE: IRON JAW CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: OCTOBER 24, 1896 TYPE OF HISTORICAL RIGHT: FILED FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. VOLUME: 333.00 AF CLIMATIC AREA: 1 \* MAXIMUM ACRES: 417.00 PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS NWSW 21 06N 44E ROSEBUD DIVERSION DAM PLACE OF USE FOR IRRIGATION: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY 001 60.00 N2SE 20 06N 44E ROSEBUD 75.00 S2NE 20 06N 44E ROSEBUD 002 003 20.00 S2N2NE 20 06N 44E ROSEBUD NESW 20 06N 44E ROSEBUD 36.00 004 31.00 133.00 SENW 20 06N 44E ROSEBUD 005 NW 21 06N 44E ROSEBUD 006

#### 12/09/03

## TEMPORARY PRELIMINARY DECREE PAGE 649 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015757-00\*(CONTINUED)

PLACE OF USE CONTINUED:

007 58.00 N2NE 21 06N 44E ROSEBUD

008 4.00 NWSWNE 21 06N 44E ROSEBUD

TOTAL 417.00

**REMARKS**:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/21/84.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/02/91. NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/23/98.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 650
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015866-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING

THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: COLE, NORRIS E INC 7 COLE LN MT 59327 FORSYTH PURPOSE (USE): STOCK \* SOURCE: UNNAMED TRIBUTARY OF YELLOWSTONE RIVER SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: JUNE 01, 1950 TYPE OF HISTORICAL RIGHT: FILED \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: APRIL 01 TO NOVEMBER 30 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NESWNW 13 06N 37E TREASURE DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NESWNW 13 06N 37E TREASURE \* PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY NESWNW 13 06N 37E TREASURE \*

file:///Dl/...orn%20and%20Tongue%20Rivers%2003\_1114/Decree\_indexes%20as%20issued%20in%20txt%20file%20format/b42KJ\_p1.txt[2/10/2010 10:57:55 AM]

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 651
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015866-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 652
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015867-00

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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7 COLE LN
FORSYTH MT 59327
PURPOSE (USE): STOCK
SOURCE:

* PRIC	DEVENY COULEE SOURCE TYPE: SURFACE WATER ORITY DATE:
* FLO	DECEMBER 31, 1951 TYPE OF HISTORICAL RIGHT: FILED W RATE:
* VOL	NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. UME:
PERI	THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  OD OF USE: APRIL 01 TO NOVEMBER 30
* POIN	NT OF DIVERSION AND MEANS OF DIVERSION:
	LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 C	SENENE 23 06N 37E TREASURE DAM ERVOIR:  QTR SEC SEC TWP RGE COUNTY  ONSTREAM SENENE 23 06N 37E TREASURE APACITY: 66 0 AC ET DAM HEIGHT: 18 ET SUBFACE AREA: 11 00 ACRES
CA	APACITY: 66.0 AC-FT DAM HEIGHT: 18 FT SURFACE AREA: 11.00 ACRES  ———————————————————————————————————
	HE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN STIMATED BY THE DNRC.
A	EE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR DDITIONAL RESERVOIR DATA. CE OF USE FOR STOCK:
	ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 002	SENENE 23 06N 37E TREASURE NESENE 23 06N 37E TREASURE
	12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 653 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

 $file: ///D / ... orn \% \ 20 and \% \ 20 Tongue \% \ 20 Rivers \% \ 2003\_1114 / Decree\_indexes \% \ 20 as \% \ 20 is sued \% \ 20 in \% \ 20 txt \% \ 20 file \% \ 20 format/b \ 42 KJ\_p1.txt[2/10/2010\ 10:57:55\ AM]$ 

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015867-00\*(CONTINUED)

PLACE OF USE CONTINUED:

003 SWNWNW 24 06N 37E TREASURE 004 NWSWNW 24 06N 37E TREASURE

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS.
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 654
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-015868-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: COLE, NORRIS E INC

7 COLE LN
FORSYTH MT 59327
PURPOSE (USE): STOCK
SOURCE:

UNNAMED TRIBUTARY OF DEVENY COULEE

SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31. 1950** TYPE OF HISTORICAL RIGHT: FILED \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: APRIL 01 TO NOVEMBER 30 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS NWNENW 25 06N 37E TREASURE DAM 01 RESERVOIR: QTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NWNENW 25 06N 37E TREASURE CAPACITY: 9.6 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 2.00 ACRES THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC. SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. \* PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES 001 NWNENW 25 06N 37E TREASURE 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 655 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-015868-00\*(CONTINUED) REMARKS CONTINUED: \*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 656
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-016226-00

IMPORTANT NOTICE

OWNERS: RUBY NIPPLE INC

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

RT 2 BOX 52
FORSYTH MT 59327
PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: FLOOD

\* SOURCE:

UNNAMED TRIBUTARY OF YELLOWSTONE RIVER
SOURCE TYPE: SURFACE WATER
PRIORITY DATE:

OCTOBER 05, 1906

TYPE OF HISTORICAL RIGHT: FILED

\* FLOW RATE:

3.825.00 GPM

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

\* VOLUME:

THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

CLIMATIC AREA: 1 MAXIMUM ACRES: 225.00

PERIOD OF USE: APRIL 01 TO NOVEMBER 04

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS

\_\_\_\_\_

01 NENWNE 13 06N 38E ROSEBUD PUMP PLACE OF USE FOR IRRIGATION:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
-		
001	140.00	NE 13 06N 38E ROSEBUD
002	61.00	SE 13 06N 38E ROSEBUD
003	20.00	W2NW 18 06N 39E ROSEBUD
004	4.00	N2SW 18 06N 39E ROSEBUD
TOT		
REM	REMARKS:	

\_\_\_\_

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 657
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016226-00\*(CONTINUED)

REMARKS CONTINUED:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 07/16/01: PLACE OF USE, MAXIMUM ACRES, FLOW RATE.

- \* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
- \* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN \*
- \* UNRESOLVED IF NO OBJECTIONS ARE FILED.

\*

\*

file:///D/...orn%20and%20Tongue%20Rivers%2003\_1114/Decree\_indexes%20as%20issued%20in%20txt%20file%20format/b42KJ\_p1.txt[2/10/2010 10:57:55 AM]

\* FLOW RATE MAY REQUIRE MODIFICATION BASED ON
\* RESOLUTION OF MAXIMUM ACRES ISSUE.
\* THE ROSEBUD COUNTY WATER RESOURCES SURVEY (1948)
\* APPEARS TO INDICATE 130.00 ACRES IRRIGATED. A
\* DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.
\* \*

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 658
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016235-00

## IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: KENNEY	DE	NNIS	E
PO BOX 192 FORSYTH PURPOSE (USE): STOC		59327	
SOURCE:			

WELL
SOURCE TYPE: GROUNDWATER
PRIORITY DATE:
MARCH 01, 1960
TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:
10.00 GPM
VOLUME:
V OLONE.
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NESWSW 04 06N 41E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESWSW 04 06N 41E ROSEBUD
**************************************
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *
DATA, OR ISSUES TO REFORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 659
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016235-00\*(CONTINUED)

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF

YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 660
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016236-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: GIESICK SCOTT J PO BOX 902 FORSYTH MT 59327-0902 GIESICK KATHY PO BOX 902 FORSYTH MT 59327-0902 PURPOSE (USE): STOCK SOURCE: WELL SOURCE TYPE: GROUNDWATER \* PRIORITY DATE: **DECEMBER 31, 1956** 

TYPE OF HISTORICAL RIGHT: USE

\_\_\_\_

30.00 GPM (.07 CFS)

\* VOLUME:

FLOW RATE:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY 01 SWSWNW 17 06N 40E ROSEBUD PLACE OF USE FOR STOCK: ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY 001 SWSWNW 17 06N 40E 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 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 661 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016236-00\*(CONTINUED) **REMARKS CONTINUED:** 

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. W016236-00, W016237-00.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/19/00.

\*

\* 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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### 12/09/03

## TEMPORARY PRELIMINARY DECREE PAGE 662 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016237-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY"

AVAILABILITY."
OWNERS: GIESICK SCOTT J
PO BOX 902
FORSYTH MT 59327-0902
GIESICK KATHY M
PO BOX 902
FORSYTH MT 59327-0902
PURPOSE (USE): DOMESTIC
SOURCE:
WELL
SOURCE TYPE: GROUNDWATER
* PRIORITY DATE:
DECEMPED 41 1056
DECEMBER 31, 1956
TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:
20.00 CDM ( 07.CES)
30.00 GPM (.07 CFS)
VOLUME:
(NUMBER OF HOUSEHOLDS: 2 )
MAXIMUM ACRES: .25
WAANVIUW ACKES23
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
TERIOD OF USE. WINOTHER OF TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY

01 SWSWNW 17 06N 40E ROSEBUD PLACE OF USE FOR DOMESTIC:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 .25 SWSWNW 17 06N 40E ROSEBUD

TOTAL .25 REMARKS:

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

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 663
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016237-00\*(CONTINUED)

## REMARKS CONTINUED:

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. W016236-00, W016237-00.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 07/19/00.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

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#### TEMPORARY PRELIMINARY DECREE PAGE 664 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016888-00

IMPODTA	NIT	MOTICI

IMPORTANT NOTICE YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: SWART EVA L \*\*\*DECEASED\*\*\* MT ROSEBUD 00000 PURPOSE (USE): STOCK \* SOURCE: UNNAMED TRIBUTARY OF SAND CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31. 1947** TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: MAY 01 TO OCTOBER 19 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NWSWNW 08 09N 42E ROSEBUD DAMRESERVOIR:

OTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

01 ONSTREAM NWSWNW 08 09N 42E ROSEBUD \* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 NWSWNW 08 09N 42E ROSEBUD

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 665
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016888-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 666
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016890-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER

COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: BIERY **DANIEL** HC 83 BOX 23 ROSEBUD MT59347 BIERY **RICHARD** HC 83 BOX 23 ROSEBUD MT 59347 PURPOSE (USE): STOCK SOURCE: WELL SOURCE TYPE: GROUNDWATER \* PRIORITY DATE: **DECEMBER 31, 1948** TYPE OF HISTORICAL RIGHT: FILED FLOW RATE: 8.00 GPM \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY 01 SESWNW 05 08N 42E ROSEBUD \* PLACE OF USE FOR STOCK: ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY 001 SESWNW 05 08N 42E ROSEBUD **REMARKS:** NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/05/87. \* \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

#### 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 667 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016890-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 668
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016891-00

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BIERY DANIEL

HC 83 BOX 23

ROSEBUD MT 59347

BIERY RICHARD

HC 83 BOX 23

ROSEBUD MT 59347

PURPOSE (USE): STOCK

* SOURCE:
UNNAMED TRIBUTARY OF SAND CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1955 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: MAY 01 TO OCTOBER 19
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESESE 19 09N 42E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SESESE 19 09N 42E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESESE 19 09N 42E ROSEBUD REMARKS:
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 669 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016891-00\*(CONTINUED)

REMARKS CONTINUED:

AUTHORIZATION TO CHANGE THE POINT OF DIVERSION, PLACE OF USE, PLACE OF STORAGE COMPLETED 10/13/82. FILE

REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973. APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE. SEE 42KJ G(W)016891-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/05/87.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 670
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016892-00

**IMPORTANT NOTICE** 

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BIERY DANIEL

HC 83 BOX 23

ROSEBUD MT 59347

BIERY RICHARD

HC 83 BOX 23

ROSEBUD MT 59347

PURPOSE (USE): STOCK

\* SOURCE: UNNAMED TRIBUTARY OF SAND CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1957** TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JUNE 01 TO OCTOBER 19 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SWNWNW 17 09N 42E ROSEBUD DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SWNWNW 17 09N 42E ROSEBUD CAPACITY: 28.0 AC-FT DAM HEIGHT: 13 FT SURFACE AREA: 7.00 ACRES THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC. SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. PLACE OF USE FOR STOCK: 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 671 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016892-00\*(CONTINUED)

PLACE OF USE CONTINUED:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 W2NWNW 17 09N 42E ROSEBUD

REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/05/87.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 672
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016893-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BIERY DANIEL

HC 83 BOX 23

ROSEBUD MT 59347

BIERY RICHARD

HC 83 BOX 23

ROSEBUD MT 59347 PURPOSE (USE): STOCK
* SOURCE:
UNNAMED TRIBUTARY OF SAND CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1962 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JUNE 01 TO OCTOBER 19
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESESE 19 09N 42E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESESE 19 09N 42E ROSEBUD * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESESE 19 09N 42E ROSEBUD 002 S2NESE 19 09N 42E ROSEBUD 003 SWNWSW 20 09N 42E ROSEBUD REMARKS:
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 673 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

WEEN BIGHORN AND TONGUE BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016893-00\*(CONTINUED)

## **REMARKS CONTINUED:**

## NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/05/87.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 674
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016894-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BIERY DANIEL

HC 83 BOX 23

ROSEBUD MT 59347

BIERY RICHARD

HC 83 BOX 23

ROSEBUD MT 59347

PURPOSE (USE): STOCK

SOURCE:

WELL	
SOURCE TYPE: GROUNDWATER	
* PRIORITY DATE:	
TYPE OF HISTORICAL RIGHT: FILED	
FLOW RATE:	
4.00 GPM	
* VOLUME:	
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVE	VIICED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DA	
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE	11
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED B	Y
THIS WATER SOURCE.	1
PERIOD OF USE: APRIL 15 TO NOVEMBER 04	
POINT OF DIVERSION:	
LOT DLV OTD SEC SEC TWD DCE COLINTY	
LOT BLK QTR SEC SEC TWP RGE COUNTY	
	_
01 SESESE 20 09N 42E ROSEBUD	
PLACE OF USE FOR STOCK:	
ACDEG LOT DIV OTD GEG GEG TWD DGE GOUNTY	
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
OO1 SESESE 20 O9N 42E ROSEBUD	
REMARKS:	
NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/05/87.	
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/03/07. ************************************	
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *	
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *	
*********************	
12/09/03	

TEMPORARY PRELIMINARY DECREE PAGE 675
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016894-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 676
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016895-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BIERY DANIEL

HC 83 BOX 23

ROSEBUD MT 59347

BIERY RICHARD

HC 83 BOX 23

ROSEBUD MT 59347

PURPOSE (USE): STOCK

\* SOURCE:

UNNAMED TRIBUTARY OF SAND CREEK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

**DECEMBER 31, 1965** 

TYPE OF HISTORICAL RIGHT: USE

FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

file:///D/...orn%20and%20Tongue%20Rivers%2003\_1114/Decree\_indexes%20as%20issued%20in%20txt%20file%20format/b42KJ\_p1.txt[2/10/2010 10:57:55 AM]

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JUNE 01 TO OCTOBER 19

POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** 01 SWSWSE 15 09N 42E ROSEBUD **DAM** RESERVOIR: QTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SWSWSE 15 09N 42E ROSEBUD PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES 001 SWSWSE 15 09N 42E ROSEBUD **REMARKS:** 

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 677
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016895-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/05/87.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 678
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016898-00

IMPORTANT NOTICE

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BIERY DANIEL

HC 83 BOX 23

ROSEBUD MT 59347

BIERY RICHARD

HC 83 BOX 23

ROSEBUD MT 59347

PURPOSE (USE): STOCK

\* SOURCE:

UNNAMED TRIBUTARY OF SAND CREEK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

**DECEMBER 31, 1954** 

TYPE OF HISTORICAL RIGHT: USE

FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JUNE 01 TO OCTOBER 19

LOT BL	X QTR SEC SEC TWP RGE COUNTY MEANS
01 NI RESERVOIR:	ENWNE 20 09N 42E ROSEBUD DAM
QTI	R SEC SEC TWP RGE COUNTY
	NENWNE 20 09N 42E ROSEBUD 33.6 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 7.00 ACRES
	TTY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN BY THE DNRC.
	SERVOIR WORKSHEET IN THE CLAIM FILE FOR L RESERVOIR DATA. FOR STOCK:
YELLOW: ABS	12/09/03 MPORARY PRELIMINARY DECREE PAGE 679 STONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ STRACT OF WATER RIGHT CLAIM NUMBER*42KJ-W-016898-00*(CONTINUED)
LACE OF USE CO ACRES	
001 002 REMARKS:	N2NWNE 20 09N 42E ROSEBUD NENENW 20 09N 42E ROSEBUD
	WATER RIGHT TRANSFER RECEIVED 05/05/87.
THE DNRC EXA DATA, OR ISSU	**************************************
A BETTER UNDER OUR RIGHT WIT LOW RATES, VO O WATER RIGHT OTHER RIGHTS O	RSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING THE OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, DLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT IS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO DN YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT BY AND FEDERAL DESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS

CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 680
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016903-00

OWNERS: SWART

IMPORTANT NOTICE

EVA

PERIOD OF USE: NOVEMBER 01 TO MAY 04

L

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

***DECEASED*** ROSEBUD MT 00000 PURPOSE (USE): STOCK
SOURCE:
WELL
SOURCE TYPE: GROUNDWATER
* PRIORITY DATE:
DECEMBER 31, 1930 TYPE OF HISTORICAL RIGHT: FILED FLOW RATE:
8.00 GPM
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

POINT OF DIVERSION:		
LOT BLK QTR SEC SEC TWP RGE COUNTY		
01 NWSWNE 06 07N 42E ROSEBUD * PLACE OF USE FOR STOCK:		
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY		

001 NWSWNE 06 07N 42E 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.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 681 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016903-00\*(CONTINUED)

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 682 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016904-00

IMPORTANT NOTICE YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

 $file: ///D/...orn \% 20 and \% 20 Tongue \% 20 Rivers \% 2003\_1114/Decree\_indexes \% 20 as \% 20 is sued \% 20 in \% 20 txt \% 20 file \% 20 format/b42 KJ\_p1.txt [2/10/2010 10:57:55 AM]$ 

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY"

AVAILABILITY." OWNERS: BIERY DANIEL HC 83 BOX 23 MT 59347 ROSEBUD BIERY RICHARD HC 83 BOX 23 MT 59347 ROSEBUD PURPOSE (USE): STOCK SOURCE: **CAMERON COULEE** SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: DECEMBER 31, 1940 TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: OCTOBER 28 TO MAY 19 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS NWSENW 04 07N 42E ROSEBUD 01 DAM RESERVOIR: QTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NWSENW 04 07N 42E ROSEBUD CAPACITY: 30.2 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 6.30 ACRES

 $file: ///D / ... orn \% 20 and \% 20 Tongue \% 20 Rivers \% 2003\_1114 / Decree\_indexes \% 20 as \% 20 issued \% 20 in \% 20 txt \% 20 file \% 20 format/b42 KJ\_p1.txt [2/10/2010 10:57:55 AM]$ 

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN

ESTIMATED BY THE DNRC.

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

\* PLACE OF USE FOR STOCK:

\_\_\_\_\_

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 683
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016904-00\*(CONTINUED)

PLACE OF USE CONTINUED:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 N2SENW 04 07N 42E ROSEBUD 002 S2NENW 04 07N 42E ROSEBUD

**REMARKS:** 

\_\_\_\_

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/06/91.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 684
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016905-00

## IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

AVAILABILITY." OWNERS: BIERY DANIEL
HC 83 BOX 23 ROSEBUD MT 59347 BIERY RICHARD
HC 83 BOX 23 ROSEBUD MT 59347 PURPOSE (USE): STOCK
SOURCE:
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
APRIL 15, 1955 TYPE OF HISTORICAL RIGHT: FILED FLOW RATE:
2.00 GPM * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USEI FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: MAY 01 TO OCTOBER 19
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NENENE 02 07N 41E ROSEBUD * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NENENE 02 07N 41E ROSEBUD REMARKS:

#### NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/06/91.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS.
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 685
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016905-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 686
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

ABSTRACT OF WATER RIGHT CLAI WATER\*RIGHT\*NUMBER\*42KJ-W-016906-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BIERY DANIEL

ROSEBUD MT 59347 BIERY RICHARD HC 83 BOX 23
ROSEBUD MT 59347 PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF HORSE CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:
DECEMBER 31, 1950 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USEI FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JUNE 01 TO NOVEMBER 04
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENENE 02 07N 41E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NENENE 02 07N 41E ROSEBUD CAPACITY: 27.4 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 5.70 ACRES
THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC.
SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.  FPLACE OF USE FOR STOCK:
12/00/02

HC 83 BOX 23

YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

TEMPORARY PRELIMINARY DECREE

PAGE 687

# BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016906-00\*(CONTINUED)

PLACE OF USE CONTINUED:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 N2NENE 02 07N 41E ROSEBUD 002 S2SESE 35 08N 41E ROSEBUD

REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/06/91.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 688
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016907-00

- - -

### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF

AVAILABILITY." OWNERS: SWART EVA L
***DECEASED***  ROSEBUD MT 00000  PURPOSE (USE): STOCK
* SOURCE:
UNNAMED TRIBUTARY OF HORSE CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1965 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: MAY 01 TO OCTOBER 19
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSENE 01 07N 41E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSENE 01 07N 41E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSENE 01 07N 41E ROSEBUD ************************************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *  * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *  **********************************

12/09/03
TEMPORARY PRELIMINARY DECREE PAGE 689
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

## BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016907-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 690
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016908-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BIERY DANIEL

HC 83 BOX 23

ROSEBUD MT 59347

BIERY RICHARD

HC 83 BOX 23

ROSEBUD MT 59347

PURPOSE (USE): STOCK

\* SOURCE:

UNNAMED TRIBUTARY OF CAMERON COULEE

SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31. 1944** TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: NOVEMBER 01 TO JUNE 04 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS NWNESE 32 08N 42E ROSEBUD DAM 01 RESERVOIR: QTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NWNESE 32 08N 42E ROSEBUD CAPACITY: 19.2 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 4.00 ACRES THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC. SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. \* PLACE OF USE FOR STOCK: 12/09/03 PAGE 691 TEMPORARY PRELIMINARY DECREE YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016908-00\*(CONTINUED) PLACE OF USE CONTINUED: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY 001 S2SENE 32 08N 42E ROSEBUD 002 N2NESE 32 08N 42E ROSEBUD

REMARK	S:
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NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/06/91.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS.
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 692
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016909-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BIERY DANIEL

HC 83 BOX 23

ROSEBUD MT 59347

BIERY RICHARD

HC 83 BOX 23

ROSEBUD MT 59347

PURPOSE (USE): STOCK

SOURCE.
WELL
SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
DECEMBER 31, 1930 TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:
4.00 GPM
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USE
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: NOVEMBER 15 TO APRIL 19
POINT OF DIVERSION:
LOT DLV OTD SEC SEC TWD DCE COUNTY
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 SESESW 31 08N 42E ROSEBUD
* PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESESW 31 08N 42E ROSEBUD
REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/06/91.
**************************************
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *
**************************************
12/09/03
TEMPORARY PRELIMINARY DECREE PAGE 693 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016909-00\*(CONTINUED)

COLIDOE.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT

TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 694
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016910-00

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#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BIERY DANIEL HC 83 BOX 23 ROSEBUD MT 59347 RICHARD BIERY HC 83 BOX 23 59347 ROSEBUD MT PURPOSE (USE): STOCK SOURCE: **WELL** SOURCE TYPE: GROUNDWATER \* PRIORITY DATE: **DECEMBER 31. 1938** TYPE OF HISTORICAL RIGHT: FILED FLOW RATE: 4.00 GPM \* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY

01 NWNWNE 31 08N 42E ROSEBUD \* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 NWNWNE 31 08N 42E ROSEBUD

**REMARKS**:

\_\_\_\_

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/06/91.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, \*
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 695
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016910-00\*(CONTINUED)

TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

# 12/09/03

#### TEMPORARY PRELIMINARY DECREE PAGE 696 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016911-00

01

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

	ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." OWNERS: BIERY	DANIEL
HC 83 BOX 23	1. T. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2.
ROSEBUD	MT 59347
BIERY RICH HC 83 BOX 23	IARD
ROSEBUD	MT 59347
PURPOSE (USE): STOC	
TORTOSE (USE). STOC	$\lambda \Lambda$
SOURCE:	
WELL	
	E: GROUNDWATER
* PRIORITY DATE:	2. GROUNDWATER
ridoidi i <i>Bi</i> iiE.	
JANUARY 10,	1951
· · · · · · · · · · · · · · · · · · ·	ORICAL RIGHT: FILED
FLOW RATE:	
5.00 GPM	
* VOLUME:	
	RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
	VATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
	UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
	APACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER S	
PERIOD OF USE: DECE	EMBER 15 TO MAY 19
POINT OF DIVERSION	:
LOT BLK QTR	SEC SEC TWP RGE COUNTY

NESWSE 30 08N 42E ROSEBUD

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 REM	ARKS:	NESWSE 30 08N 42E ROSEBUD	
NI.	— OTICE OF '	WATER RIGHT TRANSFER RECEIVED 05/06/91.	

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 697 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016911-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 698 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016912-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BIERY DANIEL
HC 83 BOX 23 ROSEBUD MT 59347 BIERY RICHARD HC 83 BOX 23
ROSEBUD MT 59347 PURPOSE (USE): STOCK
SOURCE:
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
DECEMBER 31, 1930 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
4.00 GPM * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: NOVEMBER 01 TO MAY 04
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NESESW 19 08N 42E ROSEBUD * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESESW 19 08N 42E ROSEBUD REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/06/91.
**************************************

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 699
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016912-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 700
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016913-00

# **IMPORTANT NOTICE**

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BIERY DANIEL

HC 83 BOX 23

ROSEBUD MT 59347

BIERY RICHARD

HC 83 BOX 23

ROSEBUD MT 59347

PURI	POSE (USE): STOCK
SOU	RCE:
* PRIC	HAMMERSTROM COULEE SOURCE TYPE: SURFACE WATER DRITY DATE:
FLO	DECEMBER 31, 1939 TYPE OF HISTORICAL RIGHT: USE W RATE:
* VOL	NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. UME:
PERI	THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  OD OF USE: NOVEMBER 01 TO JUNE 04
POIN	T OF DIVERSION AND MEANS OF DIVERSION:
	LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 RESE	SENWSE 17 08N 42E ROSEBUD DAM ERVOIR:
	QTR SEC SEC TWP RGE COUNTY
	ONSTREAM SENWSE 17 08N 42E ROSEBUD CE OF USE FOR STOCK:
	ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 REM	SENWSE 17 08N 42E ROSEBUD ARKS:
	12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 701 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016913-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/06/91.

\*

- st THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 702
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016914-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BIERY DANIEL

HC 83 BOX 23

ROSEBUD MT 59347

BIERY RICHARD

HC 83 BOX 23

ROSEBUD MT 59347

PURPOSE (USE): STOCK

SOURCE:

UNNAMED TRIBUTARY OF HORSE CREEK, EAST FORK SOURCE TYPE: SURFACE WATER

* PRIORITY DATE:
DECEMBER 31, 1947 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JUNE 01 TO OCTOBER 19
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSENW 05 08N 42E ROSEBUD DAM RESERVOIR:  QTR SEC SEC TWP RGE COUNTY  01 ONSTREAM SWSENW 05 08N 42E ROSEBUD
CAPACITY: 76.3 AC-FT DAM HEIGHT: 20 FT SURFACE AREA: 10.60 ACRES
THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC.
SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA. PLACE OF USE FOR STOCK:
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 703 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER*RIGHT*NUMBER*42KJ-W-016914-00*(CONTINUED)
PLACE OF USE CONTINUED:  ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 E2NW 05 08N 42E ROSEBUD REMARKS:

#### NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/05/87.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS.
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 704
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016915-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BIERY DANIEL

HC 83 BOX 23

ROSEBUD MT 59347

BIERY RICHARD

HC 83 BOX 23

ROSEBUD MT 59347

PURPOSE (USE): STOCK

SOURCE:

WELL
SOURCE TYPE: GROUNDWATER
* PRIORITY DATE:
FEBRUARY 11, 1951 TYPE OF HISTORICAL RIGHT: FILED FLOW RATE:
5.00 GPM
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USEI FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: NOVEMBER 01 TO JUNE 04
POINT OF DIVERGION
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 SWSENE 29 08N 42E ROSEBUD * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSENE 29 08N 42E ROSEBUD REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/06/91.  ***********************************

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 705
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016915-00\*(CONTINUED)

TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS

CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 706
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016916-00

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BIERY DANIEL HC 83 BOX 23 ROSEBUD MT 59347 BIERY RICHARD HC 83 BOX 23 ROSEBUD MT 59347 PURPOSE (USE): STOCK SOURCE: WELL SOURCE TYPE: GROUNDWATER \* PRIORITY DATE: NOVEMBER 30, 1955 TYPE OF HISTORICAL RIGHT: FILED FLOW RATE: 5.00 GPM \* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY

PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

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LOT B	LK QTR SEC SEC TWP RGE COUNTY
01 PLACE OF USE	SWSWSW 33 08N 42E ROSEBUD E FOR STOCK:
ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001 REMARKS:	SWSWSW 33 08N 42E ROSEBUD

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 707 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016916-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

> 12/09/03 TEMPORARY PRELIMINARY DECREE

PAGE 708

# YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

# ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016917-00

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### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY"

AVAILABILITY."
OWNERS: BIERY DANIEL
HC 83 BOX 23 ROSEBUD MT 59347
BIERY RICHARD HC 83 BOX 23
ROSEBUD MT 59347
PURPOSE (USE): STOCK
SOURCE:
WELL
SOURCE TYPE: GROUNDWATER
* PRIORITY DATE:
DECEMBER 31, 1955 TYPE OF HISTORICAL RIGHT: FILED FLOW RATE:
10.00 GPM * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: NOVEMBER 01 TO JUNE 04
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 SENWSE 17 08N 42E ROSEBUD * PLACE OF USE FOR STOCK:

ACRES

001 SENWSE 17 08N 42E ROSEBUD

**REMARKS**:

\_\_\_\_

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/06/91.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

\*

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 709
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016917-00\*(CONTINUED)

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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 710
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016918-00

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IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA

SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
OWNERS: BIERY DANIEL
HC 83 BOX 23 ROSEBUD MT 59347 BIERY RICHARD HC 83 BOX 23 ROSEBUD MT 59347 PURPOSE (USE): STOCK
* SOURCE:
UNNAMED TRIBUTARY OF SAND CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1972 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JUNE 01 TO OCTOBER 19
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWNWSW 17 09N 42E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWNWSW 17 09N 42E ROSEBUD * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNWSW 17 09N 42E ROSEBUD 002 SWSWNW 17 09N 42E ROSEBUD REMARKS:

12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 711 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016918-00\*(CONTINUED)

**REMARKS CONTINUED:** 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/05/87.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 712
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-016919-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: SWART EVA L

***DECEASED*** ROSEBUD MT 00000
PURPOSE (USE): STOCK
* SOURCE:
UNNAMED TRIBUTARY OF LITTLE PORCUPINE CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1938 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USE FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: MAY 15 TO OCTOBER 19
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESENW 34 08N 41E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESENW 34 08N 41E ROSEBUD * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESENW 34 08N 41E ROSEBUD  ***********************************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *  * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *  **********************************
12/00/03

TEMPORARY PRELIMINARY DECREE PAGE 713 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 714
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-016920-00

# IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BIERY DANIEL

HC 83 BOX 23
ROSEBUD MT 59347
BIERY RICHARD
HC 83 BOX 23
ROSEBUD MT 59347

PURPOSE (USE): STOCK

\* SOURCE:

UNNAMED TRIBUTARY OF BLACK BUTTES SPRING COULEE SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
———
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: NOVEMBER 01 TO JUNE 04
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSWNW 22 08N 42E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWSWNW 22 08N 42E ROSEBUD * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 N2SWNW 22 08N 42E ROSEBUD REMARKS:
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 715 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER*RIGHT*NUMBER*42KJ-W-016920-00*(CONTINUED)
REMARKS CONTINUED:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/06/91.
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT

\*

TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 716
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016921-00

IMPORTANT NOTICE

OWNERS: BIERY DANIEL

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

HC 83 BOX 23 ROSEBUD MT 59347 RICHARD BIERY HC 83 BOX 23 ROSEBUD MT 59347 PURPOSE (USE): STOCK \* SOURCE: SPRING, TRIB OF PENNICK COULEE SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31. 1959** TYPE OF HISTORICAL RIGHT: FILED \* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF

STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

\* VOLUME:

\_\_\_\_

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: NOVEMBER 01 TO MAY 27

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

\_\_\_\_\_

01 NENESE 27 08N 42E ROSEBUD DIRECT FROM SOURCE PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 NENESE 27 08N 42E ROSEBUD

**REMARKS**:

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NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/06/91.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 717
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016921-00\*(CONTINUED)

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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING

1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 718
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016922-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BIERY DANIEL

HC 83 BOX 23

ROSEBUD MT 59347

BIERY RICHARD

HC 83 BOX 23

ROSEBUD MT 59347

PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF BLACK BUTTES SPRING COULEE

SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1950

TYPE OF HISTORICAL RIGHT: FILED

\* FLOW RATE:

\* VOLUME:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM

SYSTEM.

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: NOVEMBER 01 TO MAY 27

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POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY

**MEANS** 

01 SESWNE 28 08N 42E ROSEBUD DIRECT FROM SOURCE

PLACE OF USE FOR STOCK:

LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES

001 SESWNE 28 08N 42E ROSEBUD

**REMARKS:** 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/06/91.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 719 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016922-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES. FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 720 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016923-00

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: SWART EVA L \*\*\*DECEASED\*\*\* MT 00000 ROSEBUD PURPOSE (USE): STOCK \* SOURCE: UNNAMED TRIBUTARY OF BLACK BUTTES SPRING COULEE SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1935** TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: NOVEMBER 01 TO JUNE 04 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SWNWNE 29 08N 42E ROSEBUD DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SWNWNE 29 08N 42E ROSEBUD 9.6 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 2.00 ACRES CAPACITY:

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC.

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

SWNWNE 29 08N 42E ROSEBUD

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 721
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016923-00\*(CONTINUED)

# REMARKS CONTINUED:

- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 722
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016927-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM

CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: SWART EVA L \*\*\*DECEASED\*\*\* ROSEBUD MT 00000 PURPOSE (USE): STOCK \* SOURCE: UNNAMED TRIBUTARY OF SAND CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31. 1952** TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JUNE 01 TO OCTOBER 19 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SENWSE 08 09N 42E ROSEBUD DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SENWSE 08 09N 42E ROSEBUD CAPACITY: 29.0 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 5.00 ACRES

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC.

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_\_

001

E2NWSE 08 09N 42E ROSEBUD

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 723
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016927-00\*(CONTINUED)

# REMARKS CONTINUED:

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS.
- \* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 724
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016928-00

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**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." OWNERS: BIERY DANIEL
HC 83 BOX 23 ROSEBUD MT 59347 BIERY RICHARD
HC 83 BOX 23 ROSEBUD MT 59347 PURPOSE (USE): STOCK
* SOURCE:
UNNAMED TRIBUTARY OF SAND CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1954 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: APRIL 15 TO OCTOBER 19
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWNWNE 32 09N 42E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWNWNE 32 09N 42E ROSEBUD * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNWNE 32 09N 42E ROSEBUD 002 NENENW 32 09N 42E ROSEBUD REMARKS:

#### 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 725 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016928-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/05/87.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 726
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016929-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BIERY DANIEL

HC 83 BOX 23

BIERY RICHARD HC 83 BOX 23 MT 59347 ROSEBUD PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: FLOOD \* SOURCE: HORSE CREEK, EAST FORK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: DECEMBER 31, 1935 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: 1.14 CFS THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION. \* VOLUME: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. CLIMATIC AREA: 1 MAXIMUM ACRES: 30.00 PERIOD OF USE: APRIL 01 TO MAY 04 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NESWNW 05 08N 42E ROSEBUD DIVERSION DAM \* PLACE OF USE FOR IRRIGATION: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY 001 10.00 SWNW 05 08N 42E ROSEBUD 002 20.00 SW 05 08N 42E ROSEBUD TOTAL 30.00 REMARKS:

ROSEBUD MT 59347

TEMPORARY PRELIMINARY DECREE PAGE 727
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016929-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/05/87.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 728
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016930-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BIERY DANIEL

HC 83 BOX 23

ROSEBUD MT 59347

BIERY RICHARD

HC 83 BOX 23

ROSEBUD MT 59347

PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: FLOOD SOURCE: HORSE CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1915** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: 3.26 CFS THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED. TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION. \* VOLUME: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. **CLIMATIC AREA: 1** MAXIMUM ACRES: 86.00 PERIOD OF USE: APRIL 01 TO MAY 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NWNWNE 30 08N 42E ROSEBUD DIVERSION DAM PLACE OF USE FOR IRRIGATION: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY 001 45.00 NE 30 08N 42E ROSEBUD 002 41.00 SE 30 08N 42E ROSEBUD TOTAL 86.00 REMARKS:

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 729
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016930-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/06/91.

\*

- st THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 730
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016931-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BIERY DANIEL

HC 83 BOX 23

ROSEBUD MT 59347

BIERY RICHARD
HC 83 BOX 23

ROSEBUD MT 59347 PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: FLOOD

SOURCE:

HORSE CREEK

\* PRIORITY DATE:

DECEMBER 31, 1944
TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

2.46 CFS

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

\* VOLUME:

\_\_\_\_

THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

CLIMATIC AREA: 1 MAXIMUM ACRES: 65.00

\_\_\_\_\_

PERIOD OF USE: APRIL 01 TO MAY 04

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY

MEANS

01 SENWNE 19 08N 42E ROSEBUD DIVERSION DAM

\* PLACE OF USE FOR IRRIGATION:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
001	28.00	W2NE 19 08N 42E ROSEBUD	
002	27.00	W2SE 19 08N 42E ROSEBUD	
003	10.00	E2SESW 19 08N 42E ROSEBUD	
TOTAL 65.00 REMARKS:			

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 731
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016931-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/06/91.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 732
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016932-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: BIERY DANIEL HC 83 BOX 23 ROSEBUD MT 59347 RICHARD BIERY HC 83 BOX 23 59347 ROSEBUD MT \* PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: WATER SPREADING SOURCE: SAND CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE:

**DECEMBER 31, 1927** 

* FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING.  VOLUME:
VOLUME.
60.00 AF CLIMATIC AREA: 1 MAXIMUM ACRES: 30.00
PERIOD OF USE: APRIL 01 TO MAY 04
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENWNE 20 09N 42E ROSEBUD DIKE PLACE OF USE FOR IRRIGATION:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 30.00 NE 20 09N 42E ROSEBUD
TOTAL 30.00 REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/05/87.

TVDE OF HIGTORICAL DICHT, HIGE

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 733
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016932-00\*(CONTINUED)

# REMARKS CONTINUED:

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. \*

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS

CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF

YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 734
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016934-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: SWART EVA L

\*\*\*DECEASED\*\*\*
ROSEBUD MT 00000
PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: FLOOD SOURCE:

HORSE CREEK
SOURCE TYPE: SURFACE WATER
\* PRIORITY DATE:

DECEMBER 31, 1920
TYPE OF HISTORICAL RIGHT: USE
\* FLOW RATE:

176.80 GPM (.39 CFS)

THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.

\* VOLUME:

THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. CLIMATIC AREA: 1

MAXIMUM ACRES: 10.40

PERIOD OF USE: APRIL 01 TO MAY 04

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SESESW 31 08N 42E ROSEBUD DIVERSION DAM PLACE OF USE FOR IRRIGATION:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 10.40 N2N2 06 07N 42E ROSEBUD

TOTAL 10.40

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 735
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016934-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 736
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

IMPORTANT NOTICE

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF

AVAILABILITY." OWNERS: BIERY DANIEL HC 83 BOX 23 ROSEBUD MT 59347 RICHARD BIERY HC 83 BOX 23 ROSEBUD MT 59347 \* PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: WATER SPREADING SOURCE: HORSE CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31. 1944** TYPE OF HISTORICAL RIGHT: USE FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. VOLUME: 220.00 AF **CLIMATIC AREA: 1** MAXIMUM ACRES: 110.00 PERIOD OF USE: APRIL 01 TO MAY 04 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS SENWNE 31 08N 42E ROSEBUD DIKE PLACE OF USE FOR IRRIGATION: LOT BLK QTR SEC SEC TWP RGE COUNTY ACRES

001	45.00	NE 31 08N 42E ROSEBUD
002	45.00	SE 31 08N 42E ROSEBUD
003	20.00	SESW 31 08N 42E ROSEBUD

TOTAL 110.00 REMARKS:

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 737
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-016935-00\*(CONTINUED)

**REMARKS CONTINUED:** 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 05/06/91.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 738
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016936-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING

THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: SWART EVA L
***DECEASED*** ROSEBUD MT 00000
PURPOSE (USE): DOMESTIC
SOURCE:
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
DECEMBER 31, 1955 TYPE OF HISTORICAL RIGHT: FILED FLOW RATE:
6.00 GPM VOLUME:
.33 AF (NUMBER OF HOUSEHOLDS: 1) MAXIMUM ACRES: .13
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 SWSWSW 03 06N 41E ROSEBUD PLACE OF USE FOR DOMESTIC:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 .13 SWSWSW 03 06N 41E ROSEBUD
TOTAL .13 ************************************
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *DATA, OR ISSUES TO REPORT TO THE WATER COURT. *
***************************************

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT

# TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 739
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-016936-00\*(CONTINUED)

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 740
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017021-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: NANSEL DOROTHY B

3051 S DAFFODIL
BILLINGS MT 59102
NANSEL DONALD L
3051 S DAFFODIL
BILLINGS MT 59102

PURPOSE (USE): STOCK

SOURCE:

WELL

SOURCE TYPE: GROUNDWATER

MARCH 03, 1961 TYPE OF HISTORICAL RIGHT: USE	
FLOW RATE:	
7.00 GPM	
VOLUME:	
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USEFOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31	ED
POINT OF DIVERSION:	
LOT BLK QTR SEC SEC TWP RGE COUNTY	
01 NENESE 15 05N 34E TREASURE PLACE OF USE FOR STOCK:	
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 NENESE 15 05N 34E TREASURE	
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. * **********************************	

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 741
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017021-00\*(CONTINUED)

PRIORITY DATE:

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT

PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 742
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017022-00

- - -

# **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: NANSEL DONALD L

3051 S DAFFODIL
BILLINGS MT 59102
NANSEL DOROTHY B
3051 S DAFFODIL
BILLINGS MT 59102
PURPOSE (USE): STOCK

SOURCE:
WELL
SOURCE TYPE: GROUNDWATER

\* PRIORITY DATE:

DECEMBER 31, 1925 TYPE OF HISTORICAL RIGHT: USE

FLOW RATE:

15.00 GPM (.03 CFS)

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION:

	LOT BLI	QTR SEC SEC TWP RGE COUNTY
01 PLA		WNWNE 14 05N 34E TREASURE FOR STOCK:
	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001 REM.	ARKS:	NWNWNE 14 05N 34E TREASURE

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 743
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017022-00\*(CONTINUED)

REMARKS CONTINUED:

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. W017022-00, W017023-00.

- \* 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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12/09/03 TEMPORARY PRELIMINARY DECREE

PAGE 744

# YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

# ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017023-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

AVAILADILI11.
OWNERS: NANSEL DONALD L
3051 S DAFFODIL
BILLINGS MT 59102
NANSEL DOROTHY B
3051 S DAFFODIL
BILLINGS MT 59102
PURPOSE (USE): DOMESTIC
SOURCE:
WELL
SOURCE TYPE: GROUNDWATER
* PRIORITY DATE:
FRIORITI DATE.
TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:
15.00 GPM ( .03 CFS)
VOLUME:
3.00 AF
(NUMBER OF HOUSEHOLDS: 1 )
MAXIMUM ACRES: 1.00
WITHING TICKES. 1.00
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
<del></del>
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NWNWNE 14 05N 34E TREASURE
01 NWNWNE 14 05N 34E TREASURE * PLACE OF USE FOR DOMESTIC:
" PLACE OF USE FOR DOMESTIC:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
Mends Lot ben girble see i'm noe coomit

001 1.00 NWNWNE 14 05N 34E TREASURE

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 745
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017023-00\*(CONTINUED)

**REMARKS CONTINUED:** 

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. W017022-00, W017023-00.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 746
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017024-00

file:///D/...orn%20and%20Tongue%20Rivers%2003\_1114/Decree\_indexes%20as%20issued%20in%20txt%20file%20format/b42KJ\_p1.txt[2/10/2010 10:57:55 AM]

#### IMPORTANT NOTICE

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: NANSEL DONALD L 3051 S DAFFODIL BILLINGS MT 59102 NANSEL DOROTHY B 3051 S DAFFODIL BILLINGS MT 59102 PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: SPRINKLER SOURCE: YELLOWSTONE RIVER SOURCE TYPE: SURFACE WATER PRIORITY DATE: JUNE 26, 1973 TYPE OF HISTORICAL RIGHT: FILED FLOW RATE: 1.300.00 GPM \* VOLUME: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. CLIMATIC AREA: 1 MAXIMUM ACRES: 300.00 PERIOD OF USE: MARCH 01 TO OCTOBER 04 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS NWSWSW 22 05N 34E TREASURE **PUMP** PLACE OF USE FOR IRRIGATION: LOT BLK QTR SEC SEC TWP RGE COUNTY ACRES 001 102.00 E2 21 05N 34E YELLOWSTONE

N2 22 05N 34E TREASURE

002

163.00

TOTAL 300.00

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 747
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017024-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 748
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-017163-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: MACKLEY KENNETH H

BILLINGS MT 59102 PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: SPRINKLER SOURCE: SARPY CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: MARCH 14, 1973 TYPE OF HISTORICAL RIGHT: FILED FLOW RATE: 650.00 GPM \* VOLUME: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. **CLIMATIC AREA: 1** MAXIMUM ACRES: 314.20 PERIOD OF USE: APRIL 15 TO OCTOBER 19 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SWSWNE 18 06N 37E TREASURE **PUMP** \* PLACE OF USE FOR IRRIGATION: LOT BLK QTR SEC SEC TWP RGE COUNTY ACRES 001 253.10 17 06N 37E TREASURE SW 16 06N 37E TREASURE 002 61.10 314.20 \* \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, \* DATA, OR ISSUES TO REPORT TO THE WATER COURT. \* 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 749

2437 HOWARD

TEMPORARY PRELIMINARY DECREE PAGE 749
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017163-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 750
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017353-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: ROMINE LAND CO INC

PO BOX 129
HYSHAM MT 59038

\* PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: WATER SPREADING

\* SOURCE:

BEAR CREEK
SOURCE TYPE: SURFACE WATER
PRIORITY DATE:

JUNE 10, 1942
TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:

# NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING.

\* VOLUME:

251.39 AF

**CLIMATIC AREA: 1** 

THE VOLUME OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 2.3 ACRE-FEET PER ACRE GUIDELINE FOR WATER SPREADING. THE VOLUME MAY BE CONTESTED BY PROPER OBJECTION.

MAXIMUM ACRES: 109.30

PERIOD OF USE: JANUARY 01 TO OCTOBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** 

01	NWSWNW 10 04N 37E TREASURE	DIKE
02	N2NWSW 11 04N 37E TREASURE	<b>DIVERSION DAM</b>
03	NENESW 11 04N 37E TREASURE	<b>DIVERSION DAM</b>
04	NWSESE 11 04N 37E TREASURE	<b>DIVERSION DAM</b>
05	SESWSE 12 04N 37E TREASURE	<b>DIVERSION DAM</b>
06	SWNWNE 13 04N 37E TREASURE	<b>DIVERSION DAM</b>
07	NWSWNE 13 04N 37E TREASURE	<b>DIVERSION DAM</b>
PLACE OF 1	USE FOR IRRIGATION:	

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001	8.00	SW 12 04N 37E TREASURE
002	14.90	SE 11 04N 37E TREASURE
003	6.00	NE 11 04N 37E TREASURE
004	18.50	SW 11 04N 37E TREASURE

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 751 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017353-00\*(CONTINUED)

# PLACE OF USE CONTINUED:

005	11.70	11 04N 37E TREASURE
006	5.50	SW 10 04N 37E TREASURE
007	21.70	E2 10 04N 37E TREASURE
800	23.00	NW 10 04N 37E TREASURE

TOTAL 109.30

\*

<sup>\*</sup> THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS

<sup>\*</sup> EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN

<sup>\*</sup> UNRESOLVED IF NO OBJECTIONS ARE FILED.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 752
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017354-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS. ROMINE LAND CO INC
PO BOX 129 HYSHAM MT 59038 PURPOSE (USE): IRRIGATION
TYPE OF IRRIGATION SYSTEM: SPRINKLER * SOURCE:
BEAR CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
JUNE 10, 1942 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
651.10 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 MAXIMUM ACRES: 38.30
PERIOD OF USE: MAY 01 TO SEPTEMBER 30
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSWSW 12 04N 37E TREASURE PUMP 02 NWSESE 11 04N 37E TREASURE PUMP * PLACE OF USE FOR IRRIGATION:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001       29.80       SE 11 04N 37E TREASURE         002       6.00       S2NE 11 04N 37E TREASURE         003       1.00       N2SW 11 04N 37E TREASURE         004       1.50       S2NW 11 04N 37E TREASURE
TOTAL 38.30
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 753

OWNERS: ROMINE LAND CO INC

RY PRELIMINARY DECREE PAGE 753

YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

# ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017354-00\*(CONTINUED)

# REMARKS CONTINUED:

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS.
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 754
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017355-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: ROMINE LAND CO INC

PO BOX 129
HYSHAM MT 59038
PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: WATER SPREADING

SOURCE:

SARPY CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: AUGUST 06, 1906 TYPE OF HISTORICAL RIGHT: FILED \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. **VOLUME:** 280.00 AF **CLIMATIC AREA: 1** MAXIMUM ACRES: 175.20 PERIOD OF USE: JANUARY 01 TO OCTOBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** 01 SENESE 04 04N 37E TREASURE DIKE PLACE OF USE FOR IRRIGATION: LOT BLK QTR SEC SEC TWP RGE COUNTY ACRES

001	6.00	SW	03 04N 37E TREASURE
002	28.40 (GOVT) 4		03 04N 37E TREASURE
003	26.10 (GOVT) 5		03 04N 37E TREASURE
004	9.20 (GOVT) 12		03 04N 37E TREASURE
005	26.20	SE	04 04N 37E TREASURE
006	26.30 (GOVT) 9		04 04N 37E TREASURE
007	2.50 (GOVT) 10		04 04N 37E TREASURE
800	16.00 (GOVT) 8		04 04N 37E TREASURE
009	8.00	SW	34 05N 37E TREASURE
010	26.50	SE	32 05N 37E TREASURE

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 755
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017355-00\*(CONTINUED)

# **REMARKS CONTINUED:**

175.20

TOTAL

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<sup>\*</sup> THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

<sup>\*</sup> DATA, OR ISSUES TO REPORT TO THE WATER COURT. \*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 756
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017356-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: ROMINE LAND CO INC

PO BOX 129
HYSHAM MT 59038
PURPOSE (USE): STOCK

SOURCE:

UNNAMED TRIBUTARY OF SARPY CREEK
SOURCE TYPE: SURFACE WATER
\* PRIORITY DATE:

DECEMBER 31, 1936
TYPE OF HISTORICAL RIGHT: USE
\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

* VOLU	THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
	CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
PERIC	DD OF USE: JANUARY 01 TO DECEMBER 31
POIN'	Γ OF DIVERSION AND MEANS OF DIVERSION:
	LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 RESEI	SENESW 35 05N 37E TREASURE DAM RVOIR:
	QTR SEC SEC TWP RGE COUNTY
-	NSTREAM SENESW 35 05N 37E TREASURE E OF USE FOR STOCK:
	ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SENESW 35 05N 37E TREASURE

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 757
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-017356-00\*(CONTINUED)

\_ \_ \_ \_

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT

<sup>\*</sup> THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

<sup>\*</sup> DATA. OR ISSUES TO REPORT TO THE WATER COURT.

PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 758 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017357-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER.

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT OWNERS: ROMINE LAND CO INC PO BOX 129 MT HYSHAM 59038 PURPOSE (USE): STOCK \* SOURCE: UNNAMED TRIBUTARY OF BEAR CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: DECEMBER 31, 1946 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SESENE 12 04N 37E TREASURE DAM RESERVOIR:	
QTR SEC SEC TWP RGE COUNTY	
01 ONSTREAM SESENE 12 04N 37E TREASURE PLACE OF USE FOR STOCK:	
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 SESENE 12 04N 37E TREASURE ************************************	
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,	*

12/09/03

\*

DATA, OR ISSUES TO REPORT TO THE WATER COURT.

TEMPORARY PRELIMINARY DECREE PAGE 759
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-017357-00\*(CONTINUED)

\_ \_ \_ \_

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 760
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017358-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: ROMINE LAND CO INC PO BOX 129 HYSHAM MT 59038 PURPOSE (USE): STOCK SOURCE: PRAIRIE DOG COULEE SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1947** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS NWNESE 31 05N 38E TREASURE 01 DAM RESERVOIR: QTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NWNESE 31 05N 38E TREASURE PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 761
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017358-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 762
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017359-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: ROMINE LAND CO INC

PURPOSE (USE): STOCK  SOURCE:
UNNAMED TRIBUTARY OF CORRAL CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:
DECEMBER 31, 1948 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSWSW 31 05N 38E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSWSW 31 05N 38E TREASURE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSWSW 31 05N 38E TREASURE ************************************
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. * ***********************************

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 763
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017359-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 764
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017360-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: ROMINE LAND CO INC

PO BOX 129
HYSHAM MT 59038
PURPOSE (USE): STOCK

SOURCE:

UNNAMED TRIBUTARY OF CORRAL CREEK
SOURCE TYPE: SURFACE WATER
\* PRIORITY DATE:

DECEMBER 31, 1970 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

THIS ONSTREAM RESERVOIR.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESWNW 31 05N 38E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESWNW 31 05N 38E TREASURE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESWNW 31 05N 38E TREASURE ************************************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *  * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *  **********************************
12/09/03 TEMPODA DV DDELIMINA DV DECDEE DA GE 765

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

TEMPORARY PRELIMINARY DECREE PAGE 765
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017360-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE

DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 766
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017361-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: ROMINE LAND CO INC

PO BOX 129

HYSHAM MT 59038

PURPOSE (USE): STOCK

\* SOURCE:

UNNAMED TRIBUTARY OF BEAR CREEK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1971
TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

<sup>\*</sup> POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS	
01 NESWSW 07 04N 38E TREASURE DAM RESERVOIR:	
QTR SEC SEC TWP RGE COUNTY	
01 ONSTREAM NESWSW 07 04N 38E TREASURE PLACE OF USE FOR STOCK:	
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 NESWSW 07 04N 38E TREASURE ************************************	
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  * DATA, OR ISSUES TO REPORT TO THE WATER COURT.  ***********************************	*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 767
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-017361-00\*(CONTINUED)

\_ \_ \_ \_

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 768
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-017362-00

IMPORTANT NOTICE YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM
CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING
THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER
COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA
SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
OWNERS: ROMINE LAND CO INC
PO BOX 129 HYSHAM MT 59038 PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF CORRAL CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1970 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENWSW 31 05N 38E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NENWSW 31 05N 38E TREASURE PLACE OF USE FOR STOCK:

ACRES

001 NENWSW 31 05N 38E TREASURE

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 769
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017362-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 770
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017363-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS. ROWINE LAND CO INC
PO BOX 129 HYSHAM MT 59038 PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF CORRAL CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1948 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USE FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNWSW 31 05N 38E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWNWSW 31 05N 38E TREASURE CAPACITY: 14.4 AC-FT DAM HEIGHT: 14 FT SURFACE AREA: 3.00 ACRES
THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC. PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNWSW 31 05N 38E TREASURE
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 771

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YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

# BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017363-00\*(CONTINUED)

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<b>REMA</b>	RKS	CONT	INUED:

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 772
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017364-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: ROMINE	LAND C	O INC
——————————————————————————————————————		
HYSHAM	MT	59038
PURPOSE (USE): ST	OCK	
SOURCE:		

SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1971 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSESW 05 04N 38E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWSESW 05 04N 38E TREASURE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSESW 05 04N 38E TREASURE  *****************************  THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  DATA, OR ISSUES TO REPORT TO THE WATER COURT.  ***********************************
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 773 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS RASIN 42K1

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017364-00\*(CONTINUED)

UNNAMED TRIBUTARY OF CORRAL CREEK

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO

OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 774
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-017365-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: ROMINE LAND CO INC

PO BOX 129
HYSHAM MT 59038
PURPOSE (USE): STOCK

\*\*SOURCE:

UNNAMED TRIBUTARY OF BEAR CREEK
SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1969
TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

THIS ONSTREAM RESERVOIR.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:	
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS	
01 SESWSW 07 04N 38E TREASURE DAM RESERVOIR:	
QTR SEC SEC TWP RGE COUNTY	
01 ONSTREAM SESWSW 07 04N 38E TREASURE PLACE OF USE FOR STOCK:	
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 SESWSW 07 04N 38E TREASURE  ***********************************	
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  DATA, OR ISSUES TO REPORT TO THE WATER COURT.  ***********************************	

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 775
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017365-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES. FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

# TEMPORARY PRELIMINARY DECREE PAGE 776 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017366-00

<b>IMPORTANT</b>	<b>NOTICE</b>

RESERVOIR:

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY."
OWNERS: ROMINE LAND CO INC
——————————————————————————————————————
HYSHAM MT 59038
PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF SARPY CREEK
SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
DECEMBER 31, 1971 TYPE OF HISTORICAL RIGHT: USE
* FLOW RATE:
TLOW KATE.
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USE
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
TOINT OF DIVERSION AND MEANS OF DIVERSION.
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 (GOVT) 10 SESWNE 03 04N 37E TREASURE DAM
OF CHANTELL ALAWINE UNUALN ME INCAMUNC LIAM

	QTR SEC SEC TWP RGE COUNTY							
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	ACRES	LOT BLI	X QTR SEC	SEC TWP	RGE COU	INTY		_
001 ****	(GOV' ******	,	SESWNE 03				****	
	E DNRC EXAM ΓΑ, OR ISSUE					NIFICANT F	FACTS,	*

TEMPORARY PRELIMINARY DECREE PAGE 777
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

12/09/03

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ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-017366-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 778
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017367-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM

CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: ROMINE LAND CO INC PO BOX 129 HYSHAM MT 59038 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF SARPY CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31. 1970** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NENESE 03 04N 37E TREASURE DAMRESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NENESE 03 04N 37E TREASURE PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES NENESE 03 04N 37E TREASURE

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\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 779
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017367-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 780
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017368-00

# IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: ROMINE LAND CO INC

PO BOX 129

HYSHAM MT 59038

PURPOSE (USE): STOCK

SOURCE	
	UNNAMED TRIBUTARY OF SARPY CREEK SOURCE TYPE: SURFACE WATER IY DATE:
	DECEMBER 31, 1968 TYPE OF HISTORICAL RIGHT: USE RATE:
	NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. IE:
] ] (	THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  OF USE: JANUARY 01 TO DECEMBER 31
* POINT C	OF DIVERSION AND MEANS OF DIVERSION:
L	LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 (GO RESERVO	OVT) 10 NENWSE 01 04N 37E TREASURE DAM OIR:
	QTR SEC SEC TWP RGE COUNTY
01 ONS	TREAM NENWSE 01 04N 37E TREASURE OF USE FOR STOCK:
AC	CRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001	(GOVT) 10 NENWSE 01 04N 37E TREASURE ************************************
* DATA, C	IRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * OR ISSUES TO REPORT TO THE WATER COURT. ************************************
YI	12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 781 ELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017368-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,

FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 782
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017369-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: ROMINE LAND CO INC

PO BOX 129
HYSHAM MT 59038
PURPOSE (USE): STOCK

SOURCE:

CORRAL CREEK
SOURCE TYPE: SURFACE WATER
\* PRIORITY DATE:

DECEMBER 31, 1971 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** 01 SWSWSW 05 04N 38E TREASURE DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SWSWSW 05 04N 38E TREASURE PLACE OF USE FOR STOCK: LOT BLK QTR SEC SEC TWP RGE COUNTY ACRES

001 SWSWSW 05 04N 38E TREASURE

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

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# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 783
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017369-00\*(CONTINUED)

- - - -

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO

# TEMPORARY PRELIMINARY DECREE PAGE 784 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017370-00

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YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENTAL FOR THE PROPERTY OF THE PROPERT
ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
OWNERS: ROMINE LAND CO INC
PO BOX 129
HYSHAM MT 59038
PURPOSE (USE): STOCK
* SOURCE:
LINNAMED TRIBUTARY OF READ CREEK
UNNAMED TRIBUTARY OF BEAR CREEK SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
DECEMBER 31, 1971
TYPE OF HISTORICAL RIGHT: USE
* FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 RESERV		NWSW 07 04N 38E TREASURE DAM	
	– QTR	SEC SEC TWP RGE COUNTY	
01 ONS		SWNWSW 07 04N 38E TREASURE OR STOCK:	
AC	CRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 *****	*****	SWNWSW 07 04N 38E TREASURE ************************************	*
		MINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS  ES TO REPORT TO THE WATER COURT.  *	S,

TEMPORARY PRELIMINARY DECREE PAGE 785
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017370-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED

CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 786
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017371-00

IMPORTANT NOTICE YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: ROMINE LAND CO INC PO BOX 129 HYSHAM MT 59038 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF SARPY CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: DECEMBER 31, 1942 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SWSENW 34 05N 37E TREASURE DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SWSENW 34 05N 37E TREASURE PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY 001 SWSENW 34 05N 37E TREASURE

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- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 787
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017371-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 788
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-017372-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: ROMINE LAND CO INC

PO BOX 129

HYSHAM MT 59038

PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF CORRAL CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1971 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 (GOVT) 9 NESE 04 04N 38E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESE 04 04N 38E TREASURE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 (GOVT) 9 NESE 04 04N 38E TREASURE  ***********************************
* DATA, OR ISSUES TO REPORT TO THE WATER COURT.  ***********************************
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 789 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017372-00\*(CONTINUED) A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 790
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017373-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: ROMINE LAND CO INC

PO BOX 129
HYSHAM MT 59038
PURPOSE (USE): STOCK

SOURCE:

UNNAMED TRIBUTARY OF SARPY CREEK
SOURCE TYPE: SURFACE WATER
\* PRIORITY DATE:

DECEMBER 31, 1971
TYPE OF HISTORICAL RIGHT: USE
\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

THIS ONSTREAM RESERVOIR.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNENE 34 05N 37E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWNENE 34 05N 37E TREASURE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNENE 34 05N 37E TREASURE

\*

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 791 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017373-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT

<sup>\*</sup> THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

<sup>\*</sup> DATA. OR ISSUES TO REPORT TO THE WATER COURT.

PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

PAGE 792 TEMPORARY PRELIMINARY DECREE YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017374-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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DBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUME
ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." OWNERS: ROMINE LAND CO INC
OWNERS. ROMINE LAND CO INC
PO BOX 129
HYSHAM MT 59038
PURPOSE (USE): STOCK
SOURCE:
SOURCE.
UNNAMED TRIBUTARY OF SARPY CREEK
SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
TYPE OF HISTORICAL RIGHT: USE
* FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.  * VOLUME:
VOLUME.
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
TOTAL OF DIVERSION AND WILMING OF DIVERSION.
LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS

01 RESERV		SWNENE 34 05N 37E TREASURE	DAM
	TQ	TR SEC SEC TWP RGE COUNTY	
	STREAM OF USE	A SWNENE 34 05N 37E TREAS FOR STOCK:	URE
A	CRES	LOT BLK QTR SEC SEC TWP	RGE COUNTY
		SWNENE 34 05N 37E TRE	*********
* THE DN	NRC EX	AMINATION OF THIS CLAIM FOUN	ND NO SIGNIFICANT FACTS. $$

TEMPORARY PRELIMINARY DECREE PAGE 793
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-017374-00\*(CONTINUED)

\*

DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 794
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017375-00

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# IMPORTANT NOTICE

01 ONSTREAM

ACRES

PLACE OF USE FOR STOCK:

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: ROMINE LAND CO INC PO BOX 129 HYSHAM MT 59038 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF SARPY CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1968** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 \* POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NENESW 35 05N 37E TREASURE DAM RESERVOIR: QTR SEC SEC TWP RGE COUNTY

NENESW 35 05N 37E TREASURE

LOT BLK QTR SEC SEC TWP RGE COUNTY

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 795
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017375-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 796
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017376-00

# IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: ROMINE LAND CO INC

HYSHAM MT 59038 PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF SARPY CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:
JUNE 30, 1973 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENWNE 34 05N 37E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENWNE 34 05N 37E TREASURE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENWNE 34 05N 37E TREASURE ************************************
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. ************************************
12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 797 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017376-00\*(CONTINUED)

**PO BOX 129** 

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 798
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017380-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: HOWREY MAX T

MYERS STAR RT
HYSHAM MT 59038
HOWREY ODETTA J

HYSHAM MT 59038

\* PURPOSE (USE): IRRIGATION

MYERS STAR RT

TYPE OF IRRIGATION SYSTEM: WATER SPREADING

SOURCE:

MUGGINS CREEK

SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

**SEPTEMBER 01, 1911** TYPE OF HISTORICAL RIGHT: FILED \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. VOLUME: 85.30 AF **CLIMATIC AREA: 1** MAXIMUM ACRES: 37.10 PERIOD OF USE: JANUARY 01 TO OCTOBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SENENE 15 07N 34E TREASURE DIKE

PLACE OF USE FOR IRRIGATION:

LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES

001 21.70 002 15.40 NE 15 07N 34E TREASURE 21.70 NW 14 07N 34E TREASURE

TOTAL 37.10 REMARKS:

12/09/03

PAGE 799 TEMPORARY PRELIMINARY DECREE YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017380-00\*(CONTINUED)

**REMARKS CONTINUED:** 

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLE-MENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS OF THE CLAIMANT'S TOTAL 37.10 ACRES. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. W017380-00, W017381-00.

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<sup>\*</sup> THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

<sup>\*</sup> DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 800
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017381-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: HOWREY MAX T

——

MYERS STAR RT

HYSHAM MT 59038

HOWREY ODETTA J

MYERS STAR RT

HYSHAM MT 59038

\* PURPOSE (USE): IRRIGATION

———

TYPE OF IRRIGATION SYSTEM: WATER SPREADING

SOURCE:

MUGGINS CREEK
SOURCE TYPE: SURFACE WATER
PRIORITY DATE:

MAY 18, 1911 TYPE OF HISTORICAL RIGHT: FILED

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING.

VOLUME:

85.30 AF

**CLIMATIC AREA: 1** MAXIMUM ACRES: 37.10

PERIOD OF USE: JANUARY 01 TO OCTOBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** 

01 SENENE 15 07N 34E TREASURE DIKE

PLACE OF USE FOR IRRIGATION:

LOT BLK QTR SEC SEC TWP RGE COUNTY **ACRES** 

001 21.70 NE 15 07N 34E TREASURE 002 NW 14 07N 34E TREASURE 15.40

TOTAL 37.10 **REMARKS:** 

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 801 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017381-00\*(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLE-MENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS OF THE CLAIMANT'S TOTAL ACRES. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. W017380-00, W017381-00.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 802
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017382-00

**IMPORTANT NOTICE** 

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: HOWREY ODETTA J MYERS STAR RT HYSHAM MT 59038 HOWREY MAX MYERS STAR RT MT 59038 HYSHAM PURPOSE (USE): STOCK SOURCE: **MUGGINS CREEK** SOURCE TYPE: SURFACE WATER PRIORITY DATE:

JULY 05, 1968

TYPE OF HISTORICAL RIGHT: USE

FLOW RATE.
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSWSE 23 07N 34E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWSWSE 23 07N 34E TREASURE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSWSE 23 07N 34E TREASURE
12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 803
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017382-00\*(CONTINUED)

**REMARKS CONTINUED:** 

ELOW DATE.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. \*
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF

YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 804
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017383-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: HOWREY MAX T

——

MYERS STAR RT

HYSHAM MT 59038

HOWREY ODETTA J

MYERS STAR RT

HYSHAM MT 59038

PURPOSE (USE): STOCK

——

SOURCE:

UNNAMED TRIBUTARY OF MUGGINS CREEK SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

JULY 05, 1957 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY

THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWNENE 22 07N 34E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWNENE 22 07N 34E TREASURE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNENE 22 07N 34E TREASURE

TEMPORARY PRELIMINARY DECREE PAGE 805
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017383-00\*(CONTINUED)

REMARKS CONTINUED:

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03 TEMPORARY PRELIMINARY DECREE

PAGE 806

# YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

# ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017384-00

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# IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY."  OWNERS: HOWREY MAX T
MYERS STAR RT
HYSHAM MT 59038
HOWREY ODETTA J
MYERS STAR RT
HYSHAM MT 59038 PURPOSE (USE): STOCK
PURPOSE (USE): STOCK
SOURCE:
MUGGINS CREEK
SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
DECEMBER 31, 1940
TYPE OF HISTORICAL RIGHT: USE
* FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNWSW 14 07N 34E TREASURE DAM RESERVOIR:
NESER VOIR.

	QTI	R SEC SEC TWP RGE COUNTY
	ONSTREAM CE OF USE I	SWNWSW 14 07N 34E TREASURE FOR STOCK:
	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001		SWNWSW 14 07N 34E TREASURE

TEMPORARY PRELIMINARY DECREE PAGE 807
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017384-00\*(CONTINUED)

# **REMARKS CONTINUED:**

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 808
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-017385-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM

THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: HOWREY ODETTA J MYERS STAR RT HYSHAM MT 59038 HOWREY MAX T MYERS STAR RT MT 59038 HYSHAM PURPOSE (USE): STOCK SOURCE: MUGGINS CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1941** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SENENE 15 07N 34E TREASURE DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SENENE 15 07N 34E TREASURE PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES

CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING

TEMPORARY PRELIMINARY DECREE PAGE 809
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017385-00\*(CONTINUED)

# **REMARKS CONTINUED:**

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 810
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017386-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: JONES LEWIS R

MYERS STAR RT

HYSHAM MT 59038 JONES DOROTHA E
MYERS STAR RT
HYSHAM MT 59038
PURPOSE (USE): STOCK
SOURCE:
WELL
SOURCE TYPE: GROUNDWATER
* PRIORITY DATE:
DECEMBER 31, 1938
TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:
17.00 GPM ( .04 CFS)
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
<del></del>
01 SENESE 20 06N 35E TREASURE
* PLACE OF USE FOR STOCK:
ACREC LOT DIV OTRICE CEC TWO DOE COUNTY
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESENE 20 06N 35E TREASURE
REMARKS:
THE WATER DIGHTS LISTED FOLLOWING THIS STATEMENT ARE
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

TEMPORARY PRELIMINARY DECREE PAGE 811 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017386-00\*(CONTINUED)

REMARKS CONTINUED:

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. W017386-00, W017387-00.

\*

- \* 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 812
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017387-00

**IMPORTANT NOTICE** 

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: JONES DOROTHA E

MYERS STAR RT
HYSHAM MT 59038
JONES LEWIS R
MYERS STAR RT
HYSHAM MT 59038
PURPOSE (USE): DOMESTIC

SOURCE:

WELL SOURCE TYPE: GROUNDWATER \* PRIORITY DATE: **DECEMBER 31. 1938** TYPE OF HISTORICAL RIGHT: USE FLOW RATE: 17.00 GPM (.04 CFS) VOLUME: 2.00 AF (NUMBER OF HOUSEHOLDS: 1) MAXIMUM ACRES: 1.00 PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY SENESE 20 06N 35E TREASURE 01 \* PLACE OF USE FOR DOMESTIC: LOT BLK QTR SEC SEC TWP RGE COUNTY ACRES 001 1.00 NESENE 20 06N 35E TREASURE TOTAL 1.00 **REMARKS:** THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE

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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 813
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017387-00\*(CONTINUED)

**REMARKS CONTINUED:** 

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. W017386-00, W017387-00.

\*

<sup>\*</sup> THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

<sup>\*</sup> DATA, OR ISSUES TO REPORT TO THE WATER COURT. \*

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 814
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-017388-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: JOHNSON, FRED V RANCH INC

HC 73 BOX 615
HYSHAM MT 59038
PURPOSE (USE): STOCK

YELLOWSTONE RIVER
SOURCE TYPE: SURFACE WATER
\* PRIORITY DATE:

SOURCE:

DECEMBER 31, 1920
TYPE OF HISTORICAL RIGHT: USE
\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

*	1	Ι	N	I	_]	1	V	Π	E.	•
		•	`'	1	_'	 	v	u		

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NWNWSE 20 07N 35E TREASURE DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

01 ONSTREAM NWNWSE 20 07N 35E TREASURE

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 NWNWSE 20 07N 35E TREASURE

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 815
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017388-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF

AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 816
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017389-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: JOHNSON FRED V

MYERS HC
HYSHAM MT 59038
JOHNSON, FRED V RANCH INC
HC 73 BOX 615

HYSHAM MT 59038

PURPOSE (USE): STOCK

\* SOURCE:

UNNAMED TRIBUTARY OF MUGGINS CREEK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1952 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENENW 19 07N 35E TREASURE PIT RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENENW 19 07N 35E TREASURE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
O01 SENENW 19 O7N 35E TREASURE
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 817 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER*RIGHT*NUMBER*42KJ-W-017389-00*(CONTINUED)

REMARKS CONTINUED:

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 818
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

# ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017390-00

IMPORTANT NOTICE YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: JOHNSON, FRED V RANCH INC HC 73 BOX 615 MT HYSHAM 59038 PURPOSE (USE): STOCK \* SOURCE: UNNAMED TRIBUTARY OF MUGGINS CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: DECEMBER 31, 1940 TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SWSWSW 19 07N 35E TREASURE DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY

file:///D/...orn%20and%20Tongue%20Rivers%2003\_1114/Decree\_indexes%20as%20issued%20in%20txt%20file%20format/b42KJ\_p1.txt[2/10/2010 10:57:55 AM]

01 ONSTREAM SWSWSW 19 07N 35E TREASURE

CAPACITY: 6.0 AC-FT DAM HEIGHT: 10 FT SURFACE AREA: 1.50 ACRES

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THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC.

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

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W2SWSW 19 07N 35E TREASURE

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 819
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017390-00\*(CONTINUED)

#### REMARKS CONTINUED:

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 820
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017391-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM

CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: JOHNSON, FRED V RANCH INC HC 73 BOX 615 HYSHAM MT 59038 PURPOSE (USE): STOCK \* SOURCE: UNNAMED TRIBUTARY OF MUGGINS CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1955** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NESESE 24 07N 34E TREASURE DAMRESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NESESE 24 07N 34E TREASURE CAPACITY: 4.0 AC-FT DAM HEIGHT: 10 FT SURFACE AREA: 1.00 ACRES THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC. \* PLACE OF USE FOR STOCK:

LOT BLK OTR SEC SEC TWP RGE COUNTY

ACRES

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#### NESESE 24 07N 34E TREASURE

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 821
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017391-00\*(CONTINUED)

### REMARKS CONTINUED:

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 822
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-017392-00

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: LACKEY DARRYL L

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18003 N 129TH AVE BILLINGS MT 59105 BURDOSE (USE): IRRICATION
PURPOSE (USE): IRRIGATION
TYPE OF IRRIGATION SYSTEM: FLOOD SOURCE:
SARPY CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:
JUNE 22, 1918 TYPE OF HISTORICAL RIGHT: FILED * FLOW RATE:
680.00 GPM
THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION.  * VOLUME:
THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. CLIMATIC AREA: 1 MAXIMUM ACRES: 40.00
PERIOD OF USE: MAY 15 TO OCTOBER 04
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESENW 18 06N 37E TREASURE PUMP 02 SWSENW 18 06N 37E TREASURE PUMP PLACE OF USE FOR IRRIGATION:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 40.00 N2 18 06N 37E TREASURE  TOTAL 40.00
REMARKS:
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 823

TEMPORARY PRELIMINARY DECREE PAGE 823
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-017392-00\*(CONTINUED)

## REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/13/98.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS.
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 824
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017393-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: LACKEY	DA	RRYL	L
 18003 N 129TH			
BILLINGS	MT	59105	
PURPOSE (USE): ST	OCK		
SOURCE:			

UNNAMED TRIBUTARY OF SARPY CREEK

PRIORITY DATE:
DECEMBER 31, 1943 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENESW 22 03N 37E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NENESW 22 03N 37E TREASURE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NENESW 22 03N 37E TREASURE REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/13/98.
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 825 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

REMARKS CONTINUED:

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017393-00\*(CONTINUED)

SOURCE TYPE: SURFACE WATER

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING

YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 826
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-017394-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: LACKEY DARRYL L

18003 N 129TH AVE
BILLINGS MT 59105
PURPOSE (USE): STOCK

SOURCE:

UNNAMED TRIBUTARY OF SARPY CREEK
SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1943
TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM

THIS ONSTREAM RESERVOIR.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/13/98.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 827
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017394-00\*(CONTINUED)

REMARKS CONTINUED:

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS

CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF

YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 828
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017395-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: LACKEY DARRYL L

18003 N 129TH AVE
BILLINGS MT 59105
PURPOSE (USE): STOCK

SOURCE:

UNNAMED TRIBUTARY OF SARPY CREEK
SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1945
TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

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LOT BLK QTR SEC SEC TWP	RGE COUNTY MEANS
01 SESESE 18 03N 37E TRI RESERVOIR:	EASURE DAM
QTR SEC SEC TWP RGE (	COUNTY
01 ONSTREAM SESESE 18 03N PLACE OF USE FOR STOCK:	37E TREASURE
ACRES LOT BLK QTR SE	C SEC TWP RGE COUNTY
001 SESESE 18 03: REMARKS:	N 37E TREASURE
NOTICE OF WATER RIGHT TRANS	SFER RECEIVED 03/13/98.
	**********

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

DOINT OF DIVERSION AND MEANS OF DIVERSION.

\*

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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### TEMPORARY PRELIMINARY DECREE PAGE 830 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-017398-00

01

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA

DOCUMENT E OF

SUPREME COURT.
OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE
ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTIC
AVAILABILITY."
OWNERS: WILLIAMS ETHEL
PO BOX 321 HYSHAM MT 59038
WILLIAMS JOE F
PO BOX 321
HYSHAM MT 59038
* PURPOSE (USE): IRRIGATION
THE OF INDICATION GUIGNENA, WASTER ORDER DAVIG
TYPE OF IRRIGATION SYSTEM: WATER SPREADING SOURCE:
SOURCE.
WEST CORRAL CREEK
SOURCE TYPE: SURFACE WATER
PRIORITY DATE:
NOVEMBER 02 1012
NOVEMBER 02, 1912 TYPE OF HISTORICAL RIGHT: FILED
* FLOW RATE:
TEOW MITE.
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE
CONSISTS OF DIRECT FLOW WATER SPREADING.
VOLUME:
45.00 AF CLIMATIC AREA: 1
MAXIMUM ACRES: 30.00
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERGION AND MEANIG OF DIVERGION
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

SWSESE 30 05N 37E TREASURE DIKE

#### PLACE OF USE FOR IRRIGATION:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001	10.00	SE 30 05N 37E TREASURE
002	20.00	S2 29 05N 37E TREASURE
TOT:		*****************

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 831
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-017398-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 832
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017399-00

#### **IMPORTANT NOTICE**

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER

THE DINC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

<sup>\*</sup> DATA, OR ISSUES TO REPORT TO THE WATER COURT.

SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: WILLIAMS JOE F PO BOX 321 HYSHAM MT 59038 WILLIAMS ETHEL PO BOX 321 MT 59038 HYSHAM PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: FLOOD SOURCE: SARPY CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31. 1908** TYPE OF HISTORICAL RIGHT: FILED \* FLOW RATE: 6.04 CFS THE FLOW RATE OF THIS WATER RIGHT HAS BEEN REDUCED TO THE 17 GPM PER ACRE GUIDELINE. THE FLOW RATE MAY BE CONTESTED BY PROPER OBJECTION. \* VOLUME: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. CLIMATIC AREA: 1 MAXIMUM ACRES: 159.50 PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SESWSE 29 05N 37E TREASURE PUMP 02 SWNESE 29 05N 37E TREASURE **DIVERSION DAM** PUMP IS MOVEABLE ALL ALONG SOURCE WITHIN LEGAL LAND DESCRIPTION. PLACE OF USE FOR IRRIGATION: LOT BLK QTR SEC SEC TWP RGE COUNTY ACRES

COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA

001 106.00 E2 29 05N 37E TREASURE 002 53.50 W2 28 05N 37E TREASURE

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 833
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-017399-00\*(CONTINUED)

PLACE OF USE CONTINUED:

TOTAL 159.50

\*

\*

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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.

\* FLOW RATE MAY REQUIRE MODIFICATION BASED ON

\* PESOLUTION OF MAXIMUM ACRES ISSUE

\* RESOLUTION OF MAXIMUM ACRES ISSUE.

\* THE CLAIMED PERIOD OF USE EXCEEDS THE USUAL PERIOD OF

\* USE FOR THE CLAIMED PURPOSE WHICH IS MARCH 15 TO \*

\* NOVEMBER 19. \*

\*
THE TREASURE COUNTY WATER RESOURCES SURVEY (1951)
APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
\*

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\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 834
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

# ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-018023-00

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<b>IMPORTA</b>	NTN	TOL	ICF
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YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER TRUST LAND MANAGEMENT DIVISION PO BOX 201601 HELENA MT 59620-1601 PURPOSE (USE): STOCK SOURCE: WELL SOURCE TYPE: GROUNDWATER PRIORITY DATE: APRIL 15, 1930 TYPE OF HISTORICAL RIGHT: USE FLOW RATE: 3.00 GPM \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY 01 NWNENE 06 09N 33E ROSEBUD PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES

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NWNENE 06 09N 33E ROSEBUD

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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.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 835
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-018023-00\*(CONTINUED)

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 836
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-018053-00

**IMPORTANT NOTICE** 

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER

TRUST LAND MANAGEMENT DIVISION PO BOX 201601

HELENA MT 59620-1601 PURPOSE (USE): STOCK
* SOURCE:
UNNAMED TRIBUTARY OF ALKALI CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:
JULY 15, 1969 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESWSW 36 09N 32E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SESWSW 36 09N 32E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESWSW 36 09N 32E ROSEBUD  ************************  THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  DATA, OR ISSUES TO REPORT TO THE WATER COURT.  ***********************************
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 837 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

WATER\*RIGHT\*NUMBER\*42KJ-W-018053-00\*(CONTINUED)
- - - -

ABSTRACT OF WATER RIGHT CLAIM

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 838
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-018076-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: MONTANA. STATE OF BOARD OF LAND COMMISSIONER

TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA MT 59620-1601
PURPOSE (USE): STOCK
SOURCE:

UNNAMED TRIBUTARY OF MUGGINS CREEK SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

APRIL 15, 1940 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSESE 16 09N 33E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSESE 16 09N 33E ROSEBUD * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSESE 16 09N 33E ROSEBUD 002 SESWSE 16 09N 33E ROSEBUD ************************************
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. * ***********************************

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 839
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-018076-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 840
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-018235-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER

TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA MT 59620-1601
PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF SARPY CREEK SOURCE TYPE: GROUNDWATER

PRIORITY DATE:

APRIL 15, 1942 TYPE OF HISTORICAL RIGHT: USE

TITE OF HISTORICAL RIGHT. USI

FLOW RATE:

5.00 GPM

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

 $file: ///Dl/...orn \% 20 and \% 20 Tongue \% 20 Rivers \% 2003\_1114/Decree\_indexes \% 20 as \% 20 issued \% 20 in \% 20 txt \% 20 file \% 20 format/b42 KJ\_p1.txt [2/10/2010 10:57:55 AM]$ 

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

**MEANS** 

01 SENENW 16 05N 36E TREASURE **PIPELINE** PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SENENW 16 05N 36E TREASURE

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 841 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-018235-00\*(CONTINUED)

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 842 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-018236-00

IMPORTANT NOTICE YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF

AVAILABILITY." OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER TRUST LAND MANAGEMENT DIVISION PO BOX 201601 MT 59620-1601 HELENA PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF YELLOWSTONE RIVER SOURCE TYPE: SURFACE WATER PRIORITY DATE: **SEPTEMBER 15, 1940** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS SESESE 30 07N 36E TREASURE DAM 01 RESERVOIR: QTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SESESE 30 07N 36E TREASURE PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

file:///D/...orn%20and%20Tongue%20Rivers%2003\_1114/Decree\_indexes%20as%20issued%20in%20txt%20file%20format/b42KJ\_p1.txt[2/10/2010 10:57:55 AM]

SESESE 30 07N 36E TREASURE

001

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 843
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-018236-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 844
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-018237-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER

TRUST LAND MANAGEMENT DIVISION PO BOX 201601

HELENA MT 59620-1601 PURPOSE (USE): STOCK
SOURCE:
MUGGINS CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:
APRIL 15, 1947 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSWNW 36 07N 34E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWSWNW 36 07N 34E TREASURE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSWNW 36 07N 34E TREASURE  *************************  THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  DATA, OR ISSUES TO REPORT TO THE WATER COURT.  ***********************************
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 845 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KI

 $file: ///D / ... orn \% 20 and \% 20 Tongue \% 20 Rivers \% 2003\_1114 / Decree\_indexes \% 20 as \% 20 issued \% 20 in \% 20 txt \% 20 file \% 20 format/b42 KJ\_p1.txt [2/10/2010~10:57:55~AM]$ 

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-018237-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 846
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-018238-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: MONTANA. STATE OF BOARD OF LAND COMMISSIONER

TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA MT 59620-1601
PURPOSE (USE): STOCK

SOURCE:
WELL
SOURCE TYPE: GROUNDWATER
PRIORITY DATE:
APRIL 15, 1947
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE:

3.00 GPM \* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

01 SWNWSW 36 08N 32E TREASURE PLACE OF USE FOR STOCK:

ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY

001 SWNWSW 36 08N 32E TREASURE

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 847
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-018238-00\*(CONTINUED)

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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 848 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-018239-00

- - -

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER

TRUST LAND MANAGEMENT DIVISION
PO BOX 201601
HELENA MT 59620-1601
PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF BOX ELDER CREEK SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

APRIL 15, 1935 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

\* VOLUME:

01

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

NWSESE 36 05N 35E TREASURE DIRECT FROM SOURCE

*	PI.	A	$^{\circ}$ E	OF:	USE.	FOR	STO	CK	٠,

ACRES	LOT BLK	OTR SEC	SEC TWP	RGE	COUNTY

001 NWSESE 36 05N 35E TREASURE

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 849
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-018239-00\*(CONTINUED)

\_ \_ \_ \_ \_

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 850
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-018240-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER
TRUST LAND MANAGEMENT DIVISION PO BOX 201601 HELENA MT 59620-1601 PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF BONE COULEE SOURCE TYPE: SURFACE WATER PRIORITY DATE:
APRIL 15, 1940 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENESE 36 08N 33E TREASURE DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENESE 36 08N 33E TREASURE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENESE 36 08N 33E TREASURE  ***********************************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *  * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

12/09/03

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# TEMPORARY PRELIMINARY DECREE PAGE 851 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-018240-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 852
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019120-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: CRISWELL ROBERT W

PO BOX 211

HYSHAM MT 59038 CRISWELL MARJORIE A

PO BOX 211

HYSHAM MT 59038

PURPOSE (USE): STOCK

\* SOURCE:

	NG, TRIB OF CORRAL CREEK RCE TYPE: SURFACE WATER ATE:	
	EMBER 31, 1905 OF HISTORICAL RIGHT: USE	
STOC: SYSTI	LOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF CK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCHEM.	_
FOR S PER A CARR THIS	WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPT STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PE ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONAL RYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICE WATER SOURCE. SE: JANUARY 01 TO DECEMBER 31	R DAY BLE
	VERSION AND MEANS OF DIVERSION: BLK QTR SEC SEC TWP RGE COUNTY MEANS	
	NESWNW 23 05N 37E TREASURE DIRECT FROM SOURCE SE FOR STOCK:  LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 REMARKS:	NESWNW 23 05N 37E TREASURE	
**************************************	F WATER RIGHT TRANSFER RECEIVED 11/23/93.  ***********************************	*
YELLO' Al	12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 853 WSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ BSTRACT OF WATER RIGHT CLAIM T*NUMBER*42KJ-W-019120-00*(CONTINUED)	

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO

OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 854
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019121-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: CRISWELL MARJORIE A

PO BOX 211

HYSHAM MT 59038 CRISWELL ROBERT W

PO BOX 211

HYSHAM MT 59038

PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF CORRAL CREEK SOURCE TYPE: SURFACE WATER

ALSO KNOWN AS SINGLETON SPRING

\* PRIORITY DATE:

DECEMBER 31, 1905 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SENWNW 23 05N 37E TREASURE DIRECT FROM SOURCE PLACE OF USE FOR STOCK:

ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 SENWNW 23 05N 37E TREASURE

REMARKS:

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 855
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019121-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/23/93.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT

PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 856
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019123-00

- - -

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: CRISWELL ROBERT W PO BOX 211 HYSHAM MT 59038 CRISWELL MARJORIE A PO BOX 211 MT 59038 HYSHAM PURPOSE (USE): DOMESTIC \* SOURCE: SPRING, TRIB OF NELL CREEK SOURCE TYPE: GROUNDWATER ALSO KNOWN AS NELL CREEK SPRING \* PRIORITY DATE: DECEMBER 31, 1905 TYPE OF HISTORICAL RIGHT: USE FLOW RATE: 7.00 GPM VOLUME: 2.00 AF (NUMBER OF HOUSEHOLDS: 3) MAXIMUM ACRES: .25

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NESESE 09 05N 37E TREASURE PIPELINE
PLACE OF USE FOR DOMESTIC:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 .25 NWNE 17 05N 37E TREASURE

TOTAL .25
REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 857
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019123-00\*(CONTINUED)

### REMARKS CONTINUED:

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. W019123-00, W019141-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/04/89. NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/97.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED

"NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING

1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 858
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019124-00

IMPORTANT NOTICE
YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: CRISWELL ROBERT W
PO BOX 211

HYSHAM MT 59038 CRISWELL MARJORIE A

PO BOX 211

HYSHAM MT 59038

PURPOSE (USE): IRRIGATION

TYPE OF IRRIGATION SYSTEM: FLOOD

SOURCE:

SARPY CREEK

SOURCE TYPE: SURFACE WATER

PRIORITY DATE:

**SEPTEMBER 17, 1907** 

TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE:

1.500.00 GPM

\* VOLUME:

THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

CLIMATIC AREA: 1

MAXIMUM ACRES: 148.00

PERIOD OF USE: FEBRUARY 20 TO SEPTEMBER 24

\* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BL	K QTR SEC SEC TWP RGE COUNTY MEANS
01 02		WSWNE 17 05N 37E TREASURE PUMP WNWNE 17 05N 37E TREASURE PUMP
03		ENENW 17 05N 37E TREASURE PUMP
04		ESESW 08 05N 37E TREASURE PUMP
05	N	WNWSE 08 05N 37E TREASURE PUMP
06		ENENW 08 05N 37E TREASURE PUMP
PLA	CE OF USE	FOR IRRIGATION:
	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001	48.00	NE 17 05N 37E TREASURE
002	55.00	SE 08 05N 37E TREASURE
003	45.00	NE 08 05N 37E TREASURE
TOT	AL 148.0	00
		12/09/03
	TE	MPORARY PRELIMINARY DECREE PAGE 859
		STONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
		BASIN 42KJ
	ABS	STRACT OF WATER RIGHT CLAIM
WATE	R*RIGHT*I	NUMBER*42KJ-W-019124-00*(CONTINUED)
_ DEM 4.4		
	ARKS CONT IARKS:	INUED:
KEW	IAKKS.	
N	OTICE OF	WATER RIGHT TRANSFER RECEIVED 01/04/89.
		WATER RIGHT TRANSFER RECEIVED 12/04/97.
		******************
		NG ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS  * OF THIS WATER DIGHT CLAIM. THESE ISSUES MAY REMAIN. *
	-	I OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN * IF NO OBJECTIONS ARE FILED. *
*	XESOL VED	*
*		*
*		*
	_	ED PERIOD OF USE EXCEEDS THE USUAL GROWING *
		R THIS CLIMATIC AREA WHICH IS MARCH 15 TO *
* 1	NOVEMBER	<i>R</i> 19. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

\*

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS

CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 860
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019125-00

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: CRISWELL ROBERT W

PO BOX 211
HYSHAM MT 59038
CRISWELL MARJORIE A
PO BOX 211
HYSHAM MT 59038
PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF CORRAL CREEK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1905 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 04

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS

01 NENENE 23 05N 37E TREASURE DIRECT FROM SOURCE PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_\_

001 NENENE 23 05N 37E TREASURE

REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/04/89.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 861
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019125-00\*(CONTINUED)

**REMARKS CONTINUED:** 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/97.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF

YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO

P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 862 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019126-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: CRISWELL ROBERT W

PO BOX 211

HYSHAM MT 59038 CRISWELL MARJORIE A

PO BOX 211

HYSHAM MT 59038

PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF CORRAL CREEK SOURCE TYPE: SURFACE WATER

ALSO KNOWN AS SHALE BANK SPRING

\* PRIORITY DATE:

DECEMBER 31, 1905

TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS	
01 NENESW 14 05N 37E TREASURE DIRECT FROM SOURCE PLACE OF USE FOR STOCK:	
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 NENESW 14 05N 37E TREASURE REMARKS:	

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 863
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019126-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/04/89. NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/97.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

\*

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 864
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

ABSTRACT OF WATER RIGHT CLAIN WATER\*RIGHT\*NUMBER\*42KJ-W-019127-00

- - -

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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AVAILABILITY."
OWNERS: CRISWELL ROBERT W
PO BOX 211 HYSHAM MT 59038 CRISWELL MARJORIE A PO BOX 211 HYSHAM MT 59038 PURPOSE (USE): STOCK
* SOURCE:
SPRING, TRIB OF CORRAL CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1905 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 04
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNESE 14 05N 37E TREASURE DIRECT FROM SOURCE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/04/89.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 865
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019127-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/97.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS.
- \* DATA. OR ISSUES TO REPORT TO THE WATER COURT. \*

\*

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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 866
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019128-00

**IMPORTANT NOTICE** 

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
OWNERS: CRISWELL ROBERT W
PO BOX 211 HYSHAM MT 59038 CRISWELL MARJORIE A PO BOX 211 HYSHAM MT 59038 PURPOSE (USE): STOCK
* SOURCE:
SPRING, TRIB OF SWEDE CREEK SOURCE TYPE: SURFACE WATER
ALSO KNOWN AS SWEDE CREEK SPRING * PRIORITY DATE:
DECEMBER 31, 1905 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 04
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESWNE 10 05N 37E TREASURE DIRECT FROM SOURCE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESWNE 10 05N 37E TREASURE REMARKS:
12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 867 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

## ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019128-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/04/89. NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/97.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 868
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019129-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: CRISWELL ROBERT W

PO BOX 211

HYSHAM MT 59038 CRISWELL MARJORIE A

PO BOX 211

HYSHAM MT 59038 PURPOSE (USE): STOCK
* SOURCE:
SPRING, TRIB OF SWEDE CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1905 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNESE 10 05N 37E TREASURE DIRECT FROM SOURCE * PLACE OF USE FOR STOCK:  ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNESE 10 05N 37E TREASURE REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/04/89.
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 869 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER*RIGHT*NUMBER*42KJ-W-019129-00*(CONTINUED)
REMARKS CONTINUED:  NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/97.  ***********************************

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 870
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019130-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: CRISWELL ROBERT W

PO BOX 211
HYSHAM MT 59038
CRISWELL MARJORIE A
PO BOX 211
HYSHAM MT 59038
PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF CORRAL CREEK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1905

TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: APRIL 01 TO SEPTEMBER 30
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESENE 14 05N 37E TREASURE DIRECT FROM SOURCE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESENE 14 05N 37E TREASURE REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/04/89.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 871
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019130-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/97.

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 872
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019131-00

**IMPORTANT NOTICE** 

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: CRISWELL ROBERT W

PO BOX 211
HYSHAM MT 59038
CRISWELL MARJORIE A
PO BOX 211
HYSHAM MT 59038

DUDDOGE (LIGE) GEOCK

PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF SWEDE CREEK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1905

TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY

PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 04

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NENENE 08 05N 37E TREASURE DIRECT FROM SOURCE

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 NENENE 08 05N 37E TREASURE

REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/04/89.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 873
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019131-00\*(CONTINUED)

**REMARKS CONTINUED:** 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/97.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

#### TEMPORARY PRELIMINARY DECREE PAGE 874 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019132-00

<b>IMPORTANT</b>	NOTICE
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YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH IT
CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WA
COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTA
SUPREME COURT.
OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUM
ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY."
OWNERS: CRISWELL ROBERT W
PO BOX 211
HYSHAM MT 59038
CRISWELL MARJORIE A PO BOX 211
HYSHAM MT 59038
PURPOSE (USE): STOCK
* SOURCE:
SPRING, TRIB OF CORRAL CREEK
SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
DECEMBER 31, 1905 TYPE OF HISTORICAL RIGHT: USE
* FLOW RATE:
TLOW RATE.
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF
STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH
SYSTEM.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: APRIL 01 TO AUGUST 04
TEMOD OF CSE. WINE OF TO MCCCST 04
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SWSESW 22 05N 37E TREASURE **DIRECT FROM SOURCE** PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES

001 SWSESW 22 05N 37E TREASURE

**REMARKS:** 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/04/89.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 875 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019132-00\*(CONTINUED)

**REMARKS CONTINUED:** 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/97.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 876 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019133-00

IMPORTANT NOTICE YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF

AVAILABILITY." OWNERS: CRISWELL ROBERT PO BOX 211 MT 59038 HYSHAM CRISWELL MARJORIE A PO BOX 211 HYSHAM MT 59038 PURPOSE (USE): STOCK \* SOURCE: SPRING, TRIB OF CORRAL CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1905** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: APRIL 01 TO AUGUST 04 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY MEANS 01 NWNWNW 10 05N 37E TREASURE DIRECT FROM SOURCE PLACE OF USE FOR STOCK: LOT BLK QTR SEC SEC TWP RGE COUNTY ACRES NWNWNW 10 05N 37E TREASURE 001 **REMARKS:** 

#### NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/04/89.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 877
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019133-00\*(CONTINUED)

**REMARKS CONTINUED:** 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/97.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 878
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019134-00

\_ \_ \_

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: CRISWELL ROBERT W

HYSHAM MT 59038 CRISWELL MARJORIE A PO BOX 211 MT 59038 HYSHAM PURPOSE (USE): STOCK \* SOURCE: SPRING, TRIB OF HAY CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1905** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: APRIL 01 TO AUGUST 04 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SWNENE 11 05N 37E TREASURE DIRECT FROM SOURCE PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY 001 SWNENE 11 05N 37E TREASURE REMARKS: NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/04/89. 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 879 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

PO BOX 211

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BASIN 42KJ

**REMARKS CONTINUED:** 

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019134-00\*(CONTINUED)

#### NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/97.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 880
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019135-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: CRISWELL ROBERT W

PO BOX 211

HYSHAM MT 59038 CRISWELL MARJORIE A

PO BOX 211

HYSHAM MT 59038

PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF WHISKEY COULEE

SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1905** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 04 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** NENENE 15 05N 37E TREASURE DIRECT FROM SOURCE PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES NENENE 15 05N 37E TREASURE 001 **REMARKS:** NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/04/89. 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 881 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019135-00\*(CONTINUED) REMARKS CONTINUED: NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/97. \* \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, \* DATA. OR ISSUES TO REPORT TO THE WATER COURT. \* A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING

file:///D/...orn%20and%20Tongue%20Rivers%2003\_1114/Decree\_indexes%20as%20issued%20in%20txt%20file%20format/b42KJ\_p1.txt[2/10/2010 10:57:55 AM]

YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO

OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT

TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 882
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019136-00

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#### IMPORTANT NOTICE

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RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: CRISWELL ROBERT W

PO BOX 211
HYSHAM MT 59038
CRISWELL MARJORIE A
PO BOX 211
HYSHAM MT 59038
PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF CORRAL CREEK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1905 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSWNE 14 05N 37E TREASURE DIRECT FROM SOURCE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSWNE 14 05N 37E TREASURE REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/04/89.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 883
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019136-00\*(CONTINUED)

**REMARKS CONTINUED:** 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/97.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 884
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019137-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: CRISWELL ROBERT W
PO BOX 211
HYSHAM MT 59038
CRISWELL MARJORIE A
PO BOX 211
HYSHAM MT 59038
PURPOSE (USE): STOCK
SOURCE:
WELL
SOURCE TYPE: GROUNDWATER
* PRIORITY DATE:
OCTOBER 31, 1919
TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:
6.00 GPM
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
TEMOD OF OBE. WILLOTHER OF TO BEELINBERGY
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY

01 SESWSE 08 05N 37E TREASURE

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 NENWNE 17 05N 37E TREASURE 002 S2SWSE 08 05N 37E TREASURE

REMARKS:

\_\_\_\_

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/04/89. NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/97.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS.

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 885
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019137-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 886
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019138-00

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#### IMPORTANT NOTICE

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**REMARKS:** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: CRISWELL ROBERT W PO BOX 211 HYSHAM MT 59038 CRISWELL MARJORIE A PO BOX 211 HYSHAM MT 59038 PURPOSE (USE): STOCK SOURCE: WELL SOURCE TYPE: GROUNDWATER \* PRIORITY DATE: **DECEMBER 31, 1955** TYPE OF HISTORICAL RIGHT: USE FLOW RATE: 5.00 GPM \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY 01 NENWNE 17 05N 37E TREASURE \* PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES 001 NENWNE 17 05N 37E TREASURE

S2SWSE 08 05N 37E TREASURE

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/04/89. NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/97.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS.
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 887
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019138-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 888
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019139-00

#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: CRISWELL ROBERT W PO BOX 211 HYSHAM MT 59038 CRISWELL MARJORIE A PO BOX 211 HYSHAM MT 59038 PURPOSE (USE): STOCK \* SOURCE: UNNAMED TRIBUTARY OF HAY CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1905** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: APRIL 01 TO AUGUST 04 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SWSWSE 11 05N 37E TREASURE DIRECT FROM SOURCE PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY 001 SWSWSE 11 05N 37E TREASURE **REMARKS:** NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/04/89. 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 889 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

WATER\*RIGHT\*NUMBER\*42KJ-W-019139-00\*(CONTINUED)

ABSTRACT OF WATER RIGHT CLAIM

BASIN 42KJ

### REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/97.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 890
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019140-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: CRISWELL ROBERT W

PO BOX 211

HYSHAM MT 59038 CRISWELL MARJORIE A

PO BOX 211

HYSHAM MT 59038

PURPOSE (USE): STOCK

\* SOURCE:

UNNAMED TRIBUTARY OF CORRAL CREEK SOURCE TYPE: SURFACE WATER
ALSO KNOWN AS COLEMAN SPRING * PRIORITY DATE:
DECEMBER 31, 1905 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSESE 15 05N 37E TREASURE DIRECT FROM SOURCE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSESE 15 05N 37E TREASURE REMARKS:
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 891 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER*RIGHT*NUMBER*42KJ-W-019140-00*(CONTINUED)
REMARKS CONTINUED:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/04/89. NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/97. ************************************
* 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.

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 892
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-019141-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: CRISWELL ROBERT W

PO BOX 211
HYSHAM MT 59038
CRISWELL MARJORIE A
PO BOX 211
HYSHAM MT 59038
PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF NELL CREEK SOURCE TYPE: GROUNDWATER

ALSO KNOWN AS NELL CREEK SPRING \* PRIORITY DATE:

DECEMBER 31, 1905

TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
7.00 GPM
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESESE 09 05N 37E TREASURE PIPELINE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESESE 09 05N 37E TREASURE 002 N2NWNE 17 05N 37E TREASURE 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

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 893 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019141-00\*(CONTINUED)

**REMARKS CONTINUED:** 

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. W019123-00, W019141-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 01/04/89. NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/04/97.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,

FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 894
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019457-00

OWNERS: SNIDER

**IMPORTANT NOTICE** 

**JAMES** 

W

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

RT 1 BOX 31
FORSYTH MT 59327
PURPOSE (USE): IRRIGATION
TYPE OF IRRIGATION SYSTEM: FLOOD
SOURCE:
CORRAL CREEK
SOURCE TYPE: SURFACE WATER
PRIORITY DATE:
JULY 01, 1909
TYPE OF HISTORICAL RIGHT: FILED
FLOW RATE:
900.00 GPM
VOLUME:

THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE

AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. CLIMATIC AREA: 1

MAXIMUM ACRES: 53.00

PERIOD OF USE: MARCH 01 TO NOVEMBER 04

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NWNESW 32 03N 41E ROSEBUD DIVERSION DAM

PLACE OF USE FOR IRRIGATION:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

-----

001 53.00 SE 32 03N 41E ROSEBUD

TOTAL 53.00

REMARKS:

RATE.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/04/95: PLACE OF USE, MAXIMUM ACRES AND FLOW

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLE-MENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 895
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019457-00\*(CONTINUED)

# REMARKS CONTINUED:

OVERLAPPING PARCELS OF THE CLAIMANT'S TOTAL 53.00 ACRES. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. W019457-00, W027209-00.

\*

\* 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.

k k

\*

\* FLOW RATE MAY REQUIRE MODIFICATION BASED ON
\* RESOLUTION OF MAXIMUM ACRES ISSUE.
\*
\* THE ROSEBUD COUNTY WATER RESOURCES SURVEY (1948)
\* APPEARS TO INDICATE 0.00 ACRES IRRIGATED.
\*
\* THE MAXIMUM COMBINED ACRES FOR THIS GROUP OF
\* SUPPLEMENTAL CLAIMS MAY REQUIRE MODIFICATION PENDING
\* RESOLUTION OF MAXIMUM IRRIGATED ACRES ISSUE.
\*

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 896
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019458-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: HOPF GEORGE

SUMATRA MT 59083

PURPOSE (USE): STOCK

SOURCE:
UNNAMED TRIBUTARY OF MUGGINS CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:
MAY 01, 1948 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESESE 35 10N 32E ROSEBUD DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESESE 35 10N 32E ROSEBUD PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESESE 35 10N 32E ROSEBUD  ***********************************
* DATA, OR ISSUES TO REPORT TO THE WATER COURT.
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 897 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42K I

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019458-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,

FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 898
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42A\*-W-019459-00

\*\*\*\*\* THIS IS AN INTERBASIN TRANSFER CLAIM \*\*\*\*\*

THE POINT OF DIVERSION FOR THIS WATER RIGHT IS LOCATED IN ANOTHER BASIN. THE ABBREVIATED INFORMATION PROVIDED HERE IS TO DESCRIBE THE PLACE OF USE IN THIS BASIN. COMPLETE INFORMATION DESCRIBING THE ENTIRE RIGHT CAN BE FOUND IN THE POINT OF DIVERSION BASIN DECREE.

FOR THE CURRENT STATUS OF THE POINT OF DIVERSION BASIN, CONTACT THE MONTANA WATER COURT OR THE DNRC AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

THIS APPROPRIATION OF WATER TAKES WATER FROM THE ROSEBUD CREEK DRAINAGE (BASIN 42A) AND USES IT IN THE ROSEBUD CREEK DRAINAGE (BASIN 42A) AND THE YELLOWSTONE RIVER BETWEEN BIGHORN RIVER AND TONGUE RIVER DRAINAGE (BASIN 42KJ). ANY OBJECTION TO THIS RIGHT MAY BE FILED DURING THE OBJECTION PERIODS FOR EITHER THE POINT OF DIVERSION OR PLACE OF USE BASIN.

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: ESSEX AARON M

304 LEWIS

MILES CITY MT 59301

**ESSEX** WENDEE D 304 LEWIS MT 59301 MILES CITY \* PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: FLOOD SOURCE: ROSEBUD CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE: MAY 25, 1896 FLOW RATE: **VOLUME: MAXIMUM ACRES:** PERIOD OF USE: POINT OF DIVERSION AND MEANS OF DIVERSION: \* PLACE OF USE FOR IRRIGATION: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES 001 3.00 SESWNW 16 06N 42E ROSEBUD 12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 899 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42A\*-W-019459-00\*(CONTINUED) PLACE OF USE CONTINUED: SWSENW 16 06N 42E ROSEBUD 002 2.00 003 3.00 NENWSW 16 06N 42E ROSEBUD NESW 16 06N 42E ROSEBUD 004 23.00 SENWSW 16 06N 42E ROSEBUD 2.00 005 NESWSW 16 06N 42E ROSEBUD 006 3.00 SESWSW 16 06N 42E ROSEBUD 007 2.00 800 9.00 NWSESW 16 06N 42E ROSEBUD SWSESW 16 06N 42E ROSEBUD 009 3.00 010 2.00 NESESW 16 06N 42E ROSEBUD S2NWSE 16 06N 42E ROSEBUD 011 17.00 NWNWSE 16 06N 42E ROSEBUD 2.00 012 013 12.00 N2SWSE 16 06N 42E ROSEBUD SWNESE 16 06N 42E ROSEBUD 7.00 014 SENESE 16 06N 42E ROSEBUD 015 2.00 016 2.00 NWSESE 16 06N 42E ROSEBUD

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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.

\* \* \*

THE ROSEBUD COUNTY WATER RESOURCES SURVEY (1948)

APPEARS TO INDICATE 10.00 ACRES IRRIGATED. A

DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

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\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 900
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019480-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: LUTHER GEORGE E

667 SWEENEY CREEK RD

ROSEBUD MT 59347 LUTHER NANCY C 667 SWEENEY CREEK RD ROSEBUD MT 59347 PURPOSE (USE): IRRIGATION TYPE OF IRRIGATION SYSTEM: WATER SPREADING SOURCE: **SWEENEY CREEK** SOURCE TYPE: SURFACE WATER PRIORITY DATE: APRIL 19, 1947 TYPE OF HISTORICAL RIGHT: FILED \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DIRECT FLOW WATER SPREADING. VOLUME: 105.00 AF **CLIMATIC AREA: 1** MAXIMUM ACRES: 70.00 PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS S2SENE 14 05N 43E ROSEBUD DIKE PLACE OF USE FOR IRRIGATION: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY 001 60.00 NE 14 05N 43E ROSEBUD 002 10.00 W2W2 13 05N 43E ROSEBUD TOTAL 70.00 REMARKS:

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 901
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019480-00\*(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLE-MENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS OF THE CLAIMANT'S TOTAL 70.00 ACRES. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE. W000910-00, W000911-00, W019480-00.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

"NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 902
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-019753-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120

BIGHORN MT 59010

PURPOSE (USE): DOMESTIC	
SOURCE:	
WELL SOURCE TYPE: GROUNDWATER PRIORITY DATE:	
JUNE 01, 1925 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:	
11.00 GPM ( .02 CFS) VOLUME:	
.22 AF (NUMBER OF HOUSEHOLDS: 1) MAXIMUM ACRES: .50	
PERIOD OF USE: JANUARY 01 TO DECEMBER 31	
POINT OF DIVERSION:	
LOT BLK QTR SEC SEC TWP RGE COUNTY	
01 NENESW 01 01N 36E BIG HORN PLACE OF USE FOR DOMESTIC:  ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
ACKES LOT BEK QTK SEC SEC TWI KGE COUNTY	_
001 .50 NENESW 01 01N 36E BIG HORN	
TOTAL .50 REMARKS:	
THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 10/20/95.	
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87. ************************************	
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT.  ***********************************	*
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 903 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ	

 $file: ///D| ... orn \% 20 and \% 20 Tongue \% 20 Rivers \% 2003\_1114/Decree\_indexes \% 20 as \% 20 issued \% 20 in \% 20 txt \% 20 file \% 20 format/b42 KJ\_p1.txt[2/10/2010~10:57:55~AM]$ 

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019753-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 904
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

ABSTRACT OF WATER RIGHT CLAI WATER\*RIGHT\*NUMBER\*42KJ-W-019754-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): DOMESTIC

SOURCE:
WELL
SOURCE TYPE: GROUNDWATER
\* PRIORITY DATE:
DECEMBER 31, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE:

6.00 GPM
VOLUME:
.45 AF (NUMBER OF HOUSEHOLDS: 2) MAXIMUM ACRES: .50
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NWSWNE 01 01N 36E BIG HORN PLACE OF USE FOR DOMESTIC: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 .50 NWSWNE 01 01N 36E BIG HORN
TOTAL .50 REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  * DATA, OR ISSUES TO REPORT TO THE WATER COURT.  ***********************************

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 905
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-019754-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED

"NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING

1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 906
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019755-00

01

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO
PO BOX 120 BIGHORN MT 59010 PURPOSE (USE): DOMESTIC
SOURCE:
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
DECEMBER 31, 1945 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
6.00 GPM VOLUME:
.22 AF (NUMBER OF HOUSEHOLDS: 1) MAXIMUM ACRES: .50
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY

NWNWNE 18 01S 39E BIG HORN

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# PLACE OF USE FOR DOMESTIC:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001	.50	NWNWNE 18 01S 39E BIG HORN
TOTA REM	AL .50 ARKS:	

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 907
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019755-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 908
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019756-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
OWNERS: DAVIDSON CATTLE CO
PO BOX 120 BIGHORN MT 59010 PURPOSE (USE): STOCK
SOURCE:
SPRING, TRIB OF COXS COULEE SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1957 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWNESW 35 03N 36E TREASURE DIRECT FROM SOURCE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNESW 35 03N 36E TREASURE REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

file:///D|/...orn%20and%20Tongue%20Rivers%2003\_1114/Decree\_indexes%20as%20issued%20in%20txt%20file%20format/b42KJ\_p1.txt[2/10/2010 10:57:55 AM]

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 909
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019756-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 910
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019757-00

# IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120

BIGHORN MT 59010

PURPOSE (USE): STOCK

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SPRING, TRIB OF COXS COULEE SOURCE TYPE: SURFACE WATER * PRIORITY DATE:	
DECEMBER 31, 1940 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:	
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.	
* VOLUME:	
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVEL FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DA PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31	Y
POINT OF DIVERSION AND MEANS OF DIVERSION:	
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS	
01 SESENW 35 03N 36E TREASURE DIRECT FROM SOURCE PLACE OF USE FOR STOCK:	_
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 SESENW 35 03N 36E TREASURE REMARKS:	
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.  ***********************************	
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. * **********************************	
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 911 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ	

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019757-00\*(CONTINUED)

SOURCE:

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT

TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 912
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019758-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK

SOURCE:

SPRING, TRIB OF COXS COULEE
SOURCE TYPE: SURFACE WATER
\* PRIORITY DATE:

DECEMBER 31, 1957
TYPE OF HISTORICAL RIGHT: USE
\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** SENWNW 35 03N 36E TREASURE DIRECT FROM SOURCE PLACE OF USE FOR STOCK: ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY 001 SENWNW 35 03N 36E TREASURE **REMARKS:** 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 913
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019758-00\*(CONTINUED)

- - - -

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES. FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

# 12/09/03

#### TEMPORARY PRELIMINARY DECREE PAGE 914 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019759-00

01

# IMPORTANT NOTICE

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COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTA
SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUM
ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY."
OWNERS: DAVIDSON CATTLE CO
PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK
SOURCE:
SPRING, TRIB OF COXS COULEE
SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
TYPE OF HISTORICAL RIGHT: USE
* FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF
STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.
* VOLUME:
VOLUME.
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
<del></del>

DIRECT FROM SOURCE

NWNWNW 35 03N 36E TREASURE

<b>PLACE</b>	OF	USE	FOR	STO	CK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_\_

001

REMARKS:

NWNWNW 35 03N 36E TREASURE

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 915
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019759-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 916
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019761-00

# IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY"

AVAILABILITY."  OWNERS: DAVIDSON CATTLE CO
PO BOX 120 BIGHORN MT 59010 PURPOSE (USE): STOCK
SOURCE:
SPRING, TRIB OF KRAY COULEE SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1965 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENENE 23 02N 36E BIG HORN DIRECT FROM SOURCE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENENE 23 02N 36E BIG HORN REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87. ************************************

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT. \*

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#### 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 917 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019761-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 918
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019762-00

**IMPORTANT NOTICE** 

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSO	ON CATT	LE CO
——————————————————————————————————————		
BIGHORN	MT	59010
PURPOSE (USE): STO	OCK	
SOURCE:		

SOURCE TYPE: GROUNDWATER * PRIORITY DATE:	
DECEMBER 31, 1950 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:	
3.00 GPM * VOLUME:	
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTION FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABL CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31	DAY LE
POINT OF DIVERSION:  LOT BLK QTR SEC SEC TWP RGE COUNTY	
01 SENENE 23 02N 36E BIG HORN PLACE OF USE FOR STOCK:	
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 SENENE 23 02N 36E BIG HORN REMARKS:	
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.	
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, DATA, OR ISSUES TO REPORT TO THE WATER COURT. ************************************	*
12/09/03	

TEMPORARY PRELIMINARY DECREE PAGE 919 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019762-00\*(CONTINUED)

WELL

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS

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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 920
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-019763-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO PO BOX 120 BIGHORN MT 59010 PURPOSE (USE): STOCK \* SOURCE: KRAY COULEE SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1965** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY

PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY

THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENENE 23 02N 36E BIG HORN DAM RESERVOIR:  QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENENE 23 02N 36E BIG HORN * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENENE 23 02N 36E BIG HORN REMARKS:
<del></del>

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 921
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019763-00\*(CONTINUED)

**REMARKS CONTINUED:** 

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

# 12/09/03

#### TEMPORARY PRELIMINARY DECREE PAGE 922 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019764-00

01

PLACE OF USE FOR STOCK:

# IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
OWNERS: DAVIDSON CATTLE CO
PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK
SOURCE:
WELL
SOURCE TYPE: GROUNDWATER
* PRIORITY DATE:
DECEMBER 31, 1949
TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:
6.00 GPM
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY

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SENWSE 33 02N 37E BIG HORN

	ACRES	LOT BLK	QTR SEC SEC	TWP RGE COU	JNTY
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001 SENWSE 33 02N 37E BIG HORN

REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS.
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 923
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019764-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 924
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019765-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER

COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: DAVIDSON CATTLE CO PO BOX 120 **BIGHORN** MT 59010 PURPOSE (USE): STOCK \* SOURCE: SPRING, TRIB OF SARPY CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1951** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** NWSESE 33 02N 37E BIG HORN DIRECT FROM SOURCE \* PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES 001 NWSESE 33 02N 37E BIG HORN **REMARKS:** NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87. \* \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, \* DATA. OR ISSUES TO REPORT TO THE WATER COURT. \*

# 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 925 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019765-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 926
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019766-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF SPRING CREEK

* PRIORITY DATE:	
TYPE OF HISTORICAL RIGHT: FILED	
FLOW RATE:	
2.00 GPM	
* VOLUME:	
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USE	D
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY	
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE	
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY	
THIS WATER SOURCE.	
PERIOD OF USE: JANUARY 01 TO DECEMBER 31	
POINT OF DIVERSION AND MEANS OF DIVERSION:	
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS	
01 SWNWSE 07 01N 37E BIG HORN PIPELINE PLACE OF USE FOR STOCK:	
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 SWNWSE 07 01N 37E BIG HORN REMARKS:	
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.	
*******************	
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *	
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TEMPORARY PRELIMINARY DECREE PAGE 927
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019766-00\*(CONTINUED)

SOURCE TYPE: GROUNDWATER

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED

"NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 928
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019767-00

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# **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK

SOURCE:

SPRING, TRIB OF COXS COULEE
SOURCE TYPE: GROUNDWATER
\* PRIORITY DATE:

MARCH 08, 1972
TYPE OF HISTORICAL RIGHT: FILED
FLOW RATE:

2.00 GPM

\* VOLUME:

OWNERS: DAVIDSON CATTLE CO

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

	LOT BL	K QTR SEC SEC TWP RGE COUNTY MEANS
01 PLA		ENWSE 35 03N 36E TREASURE PIPELINE FOR STOCK:
	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001 REM	IARKS:	SENWSE 35 03N 36E TREASURE

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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# 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 929
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019767-00\*(CONTINUED)

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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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 930
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-019768-00

IMPORTANT NOTICE
YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

AVAILABILITY." OWNERS: DAVIDSON CATTLE CO
PO BOX 120 BIGHORN MT 59010 PURPOSE (USE): STOCK
SOURCE:
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
FEBRUARY 02, 1973 TYPE OF HISTORICAL RIGHT: FILED FLOW RATE:
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NWSWNE 20 01S 39E BIG HORN * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSWNE 20 01S 39E BIG HORN REMARKS:

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 10/20/95.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 931
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019768-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 932
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019769-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

PO BOX 120 BIGHORN MT 59010 PURPOSE (USE): STOCK
SOURCE:
SPRING, TRIB OF SARPY CREEK, EAST FORK SOURCE TYPE: SURFACE WATER PRIORITY DATE:
DECEMBER 31, 1965 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.  VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSWSW 20 01S 39E BIG HORN DIRECT FROM SOURCE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSWSW 20 01S 39E BIG HORN REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. * **********************************
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 933 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

OWNERS: DAVIDSON CATTLE CO

BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 934
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-019770-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK

\* SOURCE:

UNNAMED TRIBUTARY OF SARPY CREEK
SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1965

TYPE OF HISTORICAL RIGHT: USE

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FR SYSTEM.	
* VOLUME:	
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GOOD PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON CARRYING CAPACITY AND HISTORICAL USE OF THE AR THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31	GALLONS PER DAY N REASONABLE
POINT OF DIVERSION AND MEANS OF DIVERSION:	
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS	
01 NENWSE 21 01S 39E BIG HORN DIRECT FROM S * PLACE OF USE FOR STOCK:	SOURCE
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 NENWSE 21 01S 39E BIG HORN REMARKS:	
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87. ************************************	*****
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICATION OF THIS CLAIM FOUND NO SIGNIFICATION OF THE WATER COURT.	*
12/09/03	

TEMPORARY PRELIMINARY DECREE PAGE 935
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019770-00\*(CONTINUED)

\* FLOW RATE:

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF

YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE

DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 936
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019771-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF SARPY CREEK, EAST FORK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1965
TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NENWNE 09 01S 39E BIG HORN DIRECT FROM SOURCE

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

<del>\_\_\_\_\_\_</del>

001 NENWNE 09 01S 39E BIG HORN

REMARKS:

\_\_\_\_

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 937
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019771-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 938
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019772-00

- - -

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: DAVIDSON CATTLE CO PO BOX 120 MT BIGHORN 59010 PURPOSE (USE): STOCK \* SOURCE: SPRING, TRIB OF SARPY CREEK, EAST FORK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1965** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED

FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NENWNE 09 01S 39E BIG HORN DIRECT FROM SOURCE

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NENWNE 09 01S 39E BIG HORN

REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 939
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019772-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 940
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019773-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PURPOSE (USE): STOCK
* SOURCE:
SPRING, TRIB OF SARPY CREEK, EAST FORK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1965 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USE FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:  LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSENE 09 01S 39E BIG HORN DIRECT FROM SOURCE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSENE 09 01S 39E BIG HORN REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *  * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *  **********************************
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 941 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

PO BOX 120 BIGHORN

MT 59010

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019773-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 942
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019774-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

AVAILABILITY."
OWNERS: DAVIDSON CATTLE CO

PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF SARPY CREEK, EAST FORK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1965 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

*	V	$\cap$ I	T	IM	$\mathbf{E}$

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SENENE 17 01S 39E BIG HORN DIRECT FROM SOURCE

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 SENENE 17 01S 39E BIG HORN

REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS.

\* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 943
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-019774-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT

PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 944
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019775-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

01 SESENW 18 01S 39E BIG HORN \* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

Merces Lot ber Quebe be two role countr

001 SESENW 18 01S 39E BIG HORN

REMARKS:

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 10/20/95.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS.
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 945
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019775-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 946
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019776-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM
CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING
THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER
COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA
SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

AVAILABILITY." OWNERS: DAVIDSON CATTLE CO
PO BOX 120 BIGHORN MT 59010 PURPOSE (USE): STOCK
SOURCE:
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
DECEMBER 31, 1947 TYPE OF HISTORICAL RIGHT: FILED FLOW RATE:
4.00 GPM * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NWNWNE 18 01S 39E BIG HORN * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNWNE 18 01S 39E BIG HORN REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 947
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019776-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 948
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019777-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120

BIGHORN MT 59010

PURPOSE (USE): STOCK

* SOURCE:
SPRING, TRIB OF SARPY CREEK, EAST FORK
SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
DECEMBER 31, 1965
TYPE OF HISTORICAL RIGHT: USE
* FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF
STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH
SYSTEM.
* VOLUME:
VODEME.
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USI
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
DOINT OF DIVERGION AND MEANG OF DIVERGION
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
LOT BER GIR SEE SEE I WI ROL COOM I WEARS
01 SWNWSW 29 01S 39E BIG HORN DIRECT FROM SOURCE
* PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
<del></del>
001 SWNWSW 29 01S 39E BIG HORN
REMARKS:
KLWI IKKS.
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.
********************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT.
********************
12/09/03
TEMPORARY PRELIMINARY DECREE PAGE 949
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER*RIGHT*NUMBER*42KJ-W-019777-00*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,

FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 950
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019778-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF SARPY CREEK, EAST FORK
SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1965
TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

SYSTEM.

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH

* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USE FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENWSW 29 01S 39E BIG HORN DIRECT FROM SOURCE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENWSW 29 01S 39E BIG HORN REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 10/10/89.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS.
- \* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 951 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019778-00\*(CONTINUED)

1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE

DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING

#### 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 952 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019779-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

AVAILABILITY."
OWNERS: DAVIDSON CATTLE CO
PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK
SOURCE:
WELL
SOURCE TYPE: GROUNDWATER
* PRIORITY DATE:
FEBRUARY 02, 1973
TYPE OF HISTORICAL RIGHT: FILED
FLOW RATE:
6.00 GPM * VOLUME:
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY

NWNWNE 30 01S 39E BIG HORN

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ACKES	LUI	DLN '	OIK SEC	SEC	IWP	KUE	COUNTI

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NWNWNE 30 01S 39E BIG HORN

REMARKS:

THE PRIORITY DATE WAS AMENDED BY THE CLAIMANT ON 10/20/95.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 953
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019779-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 954
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019780-00

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#### **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: DAVIDSON CATTLE CO PO BOX 120 MTBIGHORN 59010 PURPOSE (USE): STOCK \* SOURCE: SPRING, TRIB OF SARPY CREEK, EAST FORK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1965** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 SESENW 31 01S 39E BIG HORN DIRECT FROM SOURCE \* PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES SESENW 31 01S 39E BIG HORN 001 **REMARKS:** NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

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- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 955
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019780-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 956
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019781-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120

BIGHORN MT 59010

PURPOSE (USE): STOCK

* SOURCE:
SPRING, TRIB OF SARPY CREEK, EAST FORK SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
 DECEMBER 31, 1965
TYPE OF HISTORICAL RIGHT: USE
* FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF
STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY US
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31
FERIOD OF USE. JANUART OF TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWNWNE 31 01S 39E BIG HORN DIRECT FROM SOURCE
* PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNWNE 31 01S 39E BIG HORN
REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.
**************************************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT.
************************
12/09/03
TEMPORARY PRELIMINARY DECREE PAGE 957
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM WATER*RIGHT*NUMBER*42KI-W-019781-00*(CONTINUED)
WATER*RIGHT*NUMBER*42KJ-W-019781-00*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,

FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 958
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019782-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK

\*\*SOURCE:

SPRING, TRIB OF SARPY CREEK, EAST FORK
SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1965
TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USIFOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSWNE 31 01S 39E BIG HORN DIRECT FROM SOURCE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSWNE 31 01S 39E BIG HORN REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87. ************************************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 959
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019782-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

#### TEMPORARY PRELIMINARY DECREE PAGE 960 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019783-00

### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER NA

COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTA
SUPREME COURT.
OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUM
ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY."
OWNERS: DAVIDSON CATTLE CO
PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK
TORTOSE (USE). STOCK
* SOURCE:
SPRING, TRIB OF SARPY CREEK, EAST FORK
SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
FRIORITI DATE.
TYPE OF HISTORICAL RIGHT: USE
* FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF
STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH
SYSTEM.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
TERIOD OF USE. JANUART OF TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NESWNE 32 01S 39E BIG HORN **DIRECT FROM SOURCE** \* PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES 001 NESWNE 32 01S 39E BIG HORN **REMARKS:** NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87. \*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 961 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019783-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 962 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019784-00

IMPORTANT NOTICE YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM

CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY"

OWNERS: DAVIDSON CATTLE CO
PO BOX 120 BIGHORN MT 59010 PURPOSE (USE): STOCK
SOURCE:
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
DECEMBER 31, 1957 TYPE OF HISTORICAL RIGHT: FILED FLOW RATE:
5.00 GPM VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 SESWSW 18 02N 37E TREASURE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESWSW 18 02N 37E TREASURE REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87. ************************************
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

#### 12/09/03

## TEMPORARY PRELIMINARY DECREE PAGE 963 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019784-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 964
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019785-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120 BIGHORN MT 59010 PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF SARPY CREEK

SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
SEPTEMBER 10, 1971 TYPE OF HISTORICAL RIGHT: FILED
* FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESESW 19 02N 37E BIG HORN DIRECT FROM SOURCE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESESW 19 02N 37E BIG HORN REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *  * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *  **********************************
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 965 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019785-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 966
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019786-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK
SOURCE:

UNNAMED TRIBUTARY OF SARPY CREEK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1965 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE

CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NESESW 33 02N 37E BIG HORN **DAM** RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NESESW 33 02N 37E BIG HORN \* PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES

001 NESESW 33 02N 37E BIG HORN

REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 967
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-019786-00\*(CONTINUED)

### REMARKS CONTINUED:

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO

#### 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 968 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019787-00

01

PLACE OF USE FOR STOCK:

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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NESESW 33 02N 37E BIG HORN

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 REMARKS: NESESW 33 02N 37E BIG HORN

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

- \* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
- \* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
- \* UNRESOLVED IF NO OBJECTIONS ARE FILED.

\*

\*

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 969
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019787-00\*(CONTINUED)

REMARKS CONTINUED:

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 TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 970
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019788-00

#### IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 971
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019788-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 972
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-019789-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120

BIGHORN MT 59010

PURPOSE (	USE): STOCK
* SOURCE:	
	RING, TRIB OF PLEASANT CREEK URCE TYPE: SURFACE WATER DATE:
	CEMBER 31, 1965 PE OF HISTORICAL RIGHT: USE CE:
STO	FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF OCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH STEM.
FOI PEI CA THI	IS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED R STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY R ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE RRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY IS WATER SOURCE.  USE: JANUARY 01 TO DECEMBER 31
POINT OF D	DIVERSION AND MEANS OF DIVERSION:
LOT	T BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 * PLACE OF	SWNWSW 32 02N 37E BIG HORN DIRECT FROM SOURCE USE FOR STOCK:
ACRE	ES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 REMARKS:	SWNWSW 32 02N 37E BIG HORN
********** THE DNRC DATA, OR	OF WATER RIGHT TRANSFER RECEIVED 03/11/87.  *****************  EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  ISSUES TO REPORT TO THE WATER COURT.  ***********************************
	12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 973 LOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM HT*NUMBER*42KLW-019789-00*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING

YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 974
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-019790-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK

\*\*SOURCE:

SPRING, TRIB OF SARPY CREEK
SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1965
TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH

k VOI	SYSTEM. LUME:
	THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
PER	IOD OF USE: JANUARY 01 TO DECEMBER 31
POIN	NT OF DIVERSION AND MEANS OF DIVERSION:
	LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 PLA	NWSWSE 05 01N 37E BIG HORN DIRECT FROM SOURCE ACE OF USE FOR STOCK:
	ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
	NWSWSE 05 01N 37E BIG HORN

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS.
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 975
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019790-00\*(CONTINUED)

\_ \_ \_ \_ \_

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED

"NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO

## 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 976 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019791-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

AVAILABILITY."
OWNERS: DAVIDSON CATTLE CO
PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK
SOURCE:
WELL
SOURCE TYPE: GROUNDWATER
* PRIORITY DATE:
TYPE OF HISTORICAL RIGHT: FILED
FLOW RATE:
4.00 GPM
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY

01

* PLA	CE OF USE	FOR STOCK:	
	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 REM	ARKS:	NESWNE 06 01N 37E BIG HORN	
N	OTICE OF	WATER RIGHT TRANSFER RECEIVED 03/11/87.	

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 977
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019791-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 978
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

ABSTRACT OF WATER RIGHT CLAIN WATER\*RIGHT\*NUMBER\*42KJ-W-019792-00

- - -

## IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING

THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO
PO BOX 120 BIGHORN MT 59010 PURPOSE (USE): STOCK
SOURCE:
WELL SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
AUGUST 31, 1966 TYPE OF HISTORICAL RIGHT: USE FLOW RATE:
6.00 GPM * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 SESESE 07 01N 37E BIG HORN * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESESE 07 01N 37E BIG HORN REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.
* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS * EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN * UNRESOLVED IF NO OBJECTIONS ARE FILED. *

#### 12/09/03

## PAGE 979 TEMPORARY PRELIMINARY DECREE YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019792-00\*(CONTINUED)

## REMARKS CONTINUED:

THE PRIORITY DATE MAY BE QUESTIONABLE. THE SUBMITTED

FORM GW2, NOTICE OF COMPLETION OF GROUNDWATER

APPROPRIATION. WAS NOT FILED AT THE COURTHOUSE AS \*

REQUIRED BY THE 1961 GROUNDWATER CODE.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 980 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019793-00

## IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

PO BOX 120 BIGHORN MT 59010 PURPOSE (USE): STOCK
* SOURCE:
SPRING, TRIB OF SPRING CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1965 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSWNW 08 01N 37E BIG HORN DIRECT FROM SOURCE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSWNW 08 01N 37E BIG HORN REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.
**************************************
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 981 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGLE RIVERS

OWNERS: DAVIDSON CATTLE CO

BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 982
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-019794-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK

\* SOURCE:

UNNAMED TRIBUTARY OF SPRING CREEK
SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1965

TYPE OF HISTORICAL RIGHT: USE

FLOW RATE.
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESWNW 08 01N 37E BIG HORN DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SESWNW 08 01N 37E BIG HORN * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESWNW 08 01N 37E BIG HORN REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.
12/09/03 TEMPODADY DELIMINADY DECREE DAGE 083

TEMPORARY PRELIMINARY DECREE PAGE 983
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019794-00\*(CONTINUED)

TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

**REMARKS CONTINUED:** 

\* ELOW 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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 984
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019795-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK

UNNAMED TRIBUTARY OF SARPY CREEK, EAST FORK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1965 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

\* SOURCE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE

CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

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しじいいし	OF USE.	JANUANIO	1 10 00	JEWIDEK .	.) I

*	<b>POINT</b>	OF	<b>DIVERSION</b>	AND	<b>MEANS</b>	OF DIV	ERSION:
	1 01111	$\mathcal{O}_{\mathbf{I}}$	DIVERSION	$\mu$	141171111	OI DIV	LIGIOI

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

\_\_\_\_\_

01 SWNESE 19 01S 39E BIG HORN DAM

RESERVOIR:

OTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

01 ONSTREAM SWNESE 19 01S 39E BIG HORN

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 SWNESE 19 01S 39E BIG HORN

REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 985
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-019795-00\*(CONTINUED)

# REMARKS CONTINUED:

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO

## 12/09/03

## TEMPORARY PRELIMINARY DECREE PAGE 986 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019796-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENTATION OF THE PROPERTY OF THE PROPE
ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
OWNERS: DAVIDSON CATTLE CO
OWNERS. DAVIDSON CATTLE CO
PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK
* SOURCE:
SPRING, TRIB OF SARPY CREEK, EAST FORK
SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
DECEMBER 31, 1965
TYPE OF HISTORICAL RIGHT: USE
* FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF
STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH
SYSTEM.
* VOLUME:
, obeline.
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 * PLA	CE OF U	SESWSE 20 01S 39E BIG HORN SE FOR STOCK:	DIRECT FROM SOURCE
	ACRES	LOT BLK QTR SEC SEC TV	WP RGE COUNTY
001 REM	IARKS:	SESWSE 20 01S 39E BI	G HORN
N ****		DF WATER RIGHT TRANSFER RECI	

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 987 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019796-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 988 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019797-00

IMPORTANT NOTICE YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: DAVIDSON CATTLE CO PO BOX 120 MT 59010 BIGHORN PURPOSE (USE): STOCK \* SOURCE: SPRING, TRIB OF SARPY CREEK, EAST FORK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1965** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE. OR FROM A DITCH SYSTEM. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** SENESE 20 01S 39E BIG HORN DIRECT FROM SOURCE \* PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY 001 SENESE 20 01S 39E BIG HORN **REMARKS:** 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 989
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019797-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 990
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019798-00

## IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120

BIGHORN MT 59010

PURPOSE (USE): STOCK

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SPRING, TRIB OF SARPY CREEK, EAST FORK
SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1965 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNWSE 20 01S 39E BIG HORN DIRECT FROM SOURCE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNWSE 20 01S 39E BIG HORN REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *  * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *  **********************************
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 991 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

\* SOURCE:

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT

WATER\*RIGHT\*NUMBER\*42KJ-W-019798-00\*(CONTINUED)

TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 992
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019799-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF SARPY CREEK, EAST FORK
SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1965
TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

OWNERS: DAVIDSON CATTLE CO

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SENENW 20 01S 39E BIG HORN DIRECT FROM SOURCE

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SENENW 20 01S 39E BIG HORN

**REMARKS**:

\_\_\_\_

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 993
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019799-00\*(CONTINUED)

- - - -

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES. FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

## 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 994 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019800-00

**RESERVOIR:** 

## IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

. V DE EU ED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOC ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OI	
AVAILABILITY." OWNERS: DAVIDSON CATTLE CO	
PO BOX 120 BIGHORN MT 59010 PURPOSE (USE): STOCK	
* SOURCE:	
UNNAMED TRIBUTARY OF SARPY CREEK, EAST FORK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:	
DECEMBER 31, 1965 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:	
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:	
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USE FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.	SED
PERIOD OF USE: JANUARY 01 TO DECEMBER 31	
POINT OF DIVERSION AND MEANS OF DIVERSION:	
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS	
01 NWSENE 19 01S 39E BIG HORN DAM	

	QTR SEC SEC TWP RGE COUNTY		
	ONSTREAM ACE OF USE		
	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 REN	MARKS:	NWSENE 19 01S 39E BIG HORN	

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 995
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019800-00\*(CONTINUED)

**REMARKS CONTINUED:** 

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 996
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019801-00

## IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM
CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING
THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER
COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA
SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

AVAILABILITY."  OWNERS: DAVIDSON CATTLE CO
PO BOX 120 BIGHORN MT 59010 PURPOSE (USE): STOCK
SOURCE:
SPRING, TRIB OF SARPY CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1965 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USEI FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESENE 03 02N 36E BIG HORN DIRECT FROM SOURCE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESENE 03 02N 36E BIG HORN REMARKS:

## NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 997
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019801-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

#### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 998
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019802-00

## IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120

PURPOSE (USE): STOCK	
SOURCE:	
SPRING, TRIB OF SARPY CREEK SOURCE TYPE: SURFACE WATER PRIORITY DATE:	
DECEMBER 31, 1965 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:	
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DESYSTEM.  * VOLUME:	
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUFOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLON PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASO CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SER THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31	IS PER DAY ONABLE
POINT OF DIVERSION AND MEANS OF DIVERSION:  LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS	
01 SESENE 03 02N 36E BIG HORN DIRECT FROM SOURCE PLACE OF USE FOR STOCK:	
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 SESENE 03 02N 36E BIG HORN REMARKS:	
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.  ***********************************	****
THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTORS.  ***********************************	
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 999 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ARSTRACT OF WATER RIGHT CLAIM	5

BIGHORN MT 59010

WATER\*RIGHT\*NUMBER\*42KJ-W-019802-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,000
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019804-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK

SOURCE:

SPRING, TRIB OF SARPY CREEK
SOURCE TYPE: SURFACE WATER
\* PRIORITY DATE:

DECEMBER 31, 1965
TYPE OF HISTORICAL RIGHT: USE
\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF

STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

\* VOLUME:

\_\_\_\_

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SENWSE 02 02N 36E BIG HORN DIRECT FROM SOURCE

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 SENWSE 02 02N 36E BIG HORN

REMARKS:

\_\_\_\_

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,001
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019804-00\*(CONTINUED)

\_ \_ \_ \_

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,002
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019805-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY"

AVAILABILITY." OWNERS: DAVIDSON CATTLE CO PO BOX 120 BIGHORN MT 59010 PURPOSE (USE): STOCK SOURCE: SPRING, TRIB OF SARPY CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1965** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SWSWNE 02 02N 36E BIG HORN DIRECT FROM SOURCE PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 SWSWNE 02 02N 36E BIG HORN

REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,003
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019805-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,004
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-019806-00

- - -

IMPORTANT NOTICE
YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: DAVIDSON CATTLE CO PO BOX 120 MTBIGHORN 59010 PURPOSE (USE): STOCK SOURCE: SPRING, TRIB OF SARPY CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31. 1965** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NWNWSW 01 02N 36E BIG HORN DIRECT FROM SOURCE PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES NWNWSW 01 02N 36E BIG HORN 001 **REMARKS:** NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,005
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019806-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,006
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019807-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120

BIGHORN MT 59010

PURPOSE (USE): STOCK

SOURCE:		
	E, TRIB OF SARPY CREEK E TYPE: SURFACE WATER E:	
	IBER 31, 1965 OF HISTORICAL RIGHT: USE	
	OW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH M.	F
FOR STOPER AN CARRY	ATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER IMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED ATER SOURCE.	DAY LE
POINT OF DIVE	RSION AND MEANS OF DIVERSION:	
LOT BLE	K QTR SEC SEC TWP RGE COUNTY MEANS	
01 SV PLACE OF USE 1	WNESW 01 02N 36E BIG HORN DIRECT FROM SOURCE FOR STOCK:	
ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 REMARKS:	SWNESW 01 02N 36E BIG HORN	
	WATER RIGHT TRANSFER RECEIVED 03/11/87.	
THE DNRC EXA DATA, OR ISSU	AMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, JES TO REPORT TO THE WATER COURT. ************************************	*
YELLOW	12/09/03 MPORARY PRELIMINARY DECREE PAGE 1,007 STONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ	

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019807-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,

FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,008
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019808-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK

SOURCE:

SPRING, TRIB OF SARPY CREEK
SOURCE TYPE: SURFACE WATER
\* PRIORITY DATE:

DECEMBER 31, 1965
TYPE OF HISTORICAL RIGHT: USE
\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USE FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENWNW 01 02N 36E BIG HORN DIRECT FROM SOURCE PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NENWNW 01 02N 36E BIG HORN REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.  ***********************************

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

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## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,009
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019808-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

## 12/09/03

## TEMPORARY PRELIMINARY DECREE PAGE 1,010 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019809-00

01

## IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER NA

COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTA
SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUM
ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY."
OWNERS: DAVIDSON CATTLE CO
PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF SARPY CREEK
SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
DECEMBER 31, 1965
TYPE OF HISTORICAL RIGHT: USE
* FLOW RATE:
NO EL ON DATE HAG DEEN DEGDEED FOR THIS LIGHT EDON
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.  * VOLUME:
VOLUME.
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

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DAM

SESWNE 02 02N 36E BIG HORN

RESERVOIR:			
QTR SEC SEC TWP RGE COUNTY			
01 ONSTREAM SESWNE 02 02N 36E BIG HORN PLACE OF USE FOR STOCK:			
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY			
SESWNE 02 02N 36E BIG HORN REMARKS:			

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,011
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019809-00\*(CONTINUED)

**REMARKS CONTINUED:** 

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS

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12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,012
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019813-00

## **IMPORTANT NOTICE**

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF

AVAILABILITY." OWNERS: DAVIDSON CATTLE CO PO BOX 120 MT BIGHORN 59010 PURPOSE (USE): STOCK SOURCE: UNNAMED TRIBUTARY OF IRON SPRING COULEE SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1965** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS 01 NESESE 11 02N 36E BIG HORN DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM NESESE 11 02N 36E BIG HORN PLACE OF USE FOR STOCK:

LOT BLK OTR SEC SEC TWP RGE COUNTY

ACRES

\_\_\_\_

NESESE 11 02N 36E BIG HORN

001

REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,013
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019813-00\*(CONTINUED)

## REMARKS CONTINUED:

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE DEVICED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,014
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019814-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: DAVIDSON CATTLE CO
PO BOX 120 BIGHORN MT 59010 PURPOSE (USE): STOCK
SOURCE:
UNNAMED TRIBUTARY OF IRON SPRING COULEE SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1965 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESENE 11 02N 36E BIG HORN DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESENE 11 02N 36E BIG HORN PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESENE 11 02N 36E BIG HORN REMARKS:
NOTICE OF WATER DIGHT TRANSFER RECEIVED 03/11/87

12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 1,015 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019814-00\*(CONTINUED)

## REMARKS CONTINUED:

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,016
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019815-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120

BIGHORN MT 59010

PURPOSE (USE): STOCK

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	RING, TRIB OF IRON SPRING COULEE DURCE TYPE: SURFACE WATER DATE:
	ECEMBER 31, 1965 YPE OF HISTORICAL RIGHT: USE TE:
ST	O FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF COCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH YSTEM.
FC PE CA TH	HIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED OR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY OR ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE ARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY HIS WATER SOURCE.  F USE: JANUARY 01 TO DECEMBER 31
	T BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 PLACE OF	SENESE 11 02N 36E BIG HORN DIRECT FROM SOURCE USE FOR STOCK:
ACR	ES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 REMARKS	SENESE 11 02N 36E BIG HORN
********** * THE DNRO * DATA, OR	E OF WATER RIGHT TRANSFER RECEIVED 03/11/87.  *****************  C EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,  I ISSUES TO REPORT TO THE WATER COURT.  ***********************************
YEL	12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 1,017 LOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

SOURCE:

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT

WATER\*RIGHT\*NUMBER\*42KJ-W-019815-00\*(CONTINUED)

TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,018
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019816-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK

SOURCE:

SPRING, TRIB OF IRON SPRING COULEE SOURCE TYPE: SURFACE WATER
\* PRIORITY DATE:

DECEMBER 31, 1965
TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SENENE 11 02N 36E BIG HORN DIRECT FROM SOURCE

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 SENENE 11 02N 36E BIG HORN

**REMARKS**:

PLACE OF USE FOR STOCK:

\_\_\_\_

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,019
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019816-00\*(CONTINUED)

- - - -

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES. FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

## 12/09/03

## TEMPORARY PRELIMINARY DECREE PAGE 1,020 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019817-00

01

## IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER NA

COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTA
SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUM
ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY."
OWNERS: DAVIDSON CATTLE CO
PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK
SOURCE:
SPRING, TRIB OF IRON SPRING COULEE SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
DECEMBER 31, 1965
TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF
STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

file:///D/...orn%20and%20Tongue%20Rivers%2003\_1114/Decree\_indexes%20as%20issued%20in%20txt%20file%20format/b42KJ\_p1.txt[2/10/2010 10:57:55 AM]

NESENE 11 02N 36E BIG HORN DIRECT FROM SOURCE

PLACE	OF	USE	FOR	STO	CK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_\_

001

REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

NESENE 11 02N 36E BIG HORN

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,021
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019817-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,022
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019818-00

## IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING

COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: DAVIDSON CATTLE CO PO BOX 120 **BIGHORN** MT 59010 PURPOSE (USE): STOCK SOURCE: WELL SOURCE TYPE: GROUNDWATER \* PRIORITY DATE: **DECEMBER 31, 1930** TYPE OF HISTORICAL RIGHT: USE FLOW RATE: 6.00 GPM \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY 01 NESENE 11 02N 36E BIG HORN PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES 001 NESENE 11 02N 36E BIG HORN **REMARKS:** NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87. \*

THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER

12/09/03

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS.

\*

\* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

# TEMPORARY PRELIMINARY DECREE PAGE 1,023 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019818-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,024
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019821-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSO	N CATT	LE CO
PO BOX 120		
BIGHORN	MT	59010
PURPOSE (USE): STO	OCK	
SOURCE:		

SPRING, TRIB OF COXS COULEE SOURCE TYPE: SURFACE WATER

DECEMB	ER 31, 1957	
	HISTORICAL RIGHT: USE	
* FLOW RATE:		
	V RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF PRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH	F
FOR STO PER ANII CARRYIN THIS WA	TER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVE CK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER MAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED TER SOURCE.  JANUARY 01 TO DECEMBER 31	DAY Æ
POINT OF DIVER	SION AND MEANS OF DIVERSION:	
LOT BLK	QTR SEC SEC TWP RGE COUNTY MEANS	
01 SES	SENW 35 03N 36E TREASURE DIRECT FROM SOURCE OR STOCK:	
ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY	
001 REMARKS:	SESENW 35 03N 36E TREASURE	
	ATER RIGHT TRANSFER RECEIVED 03/11/87.	
* THE DNRC EXAI * DATA, OR ISSUE	MINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, ES TO REPORT TO THE WATER COURT.  ***********************************	*
	12/09/03	

TEMPORARY PRELIMINARY DECREE PAGE 1,025 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019821-00\*(CONTINUED)

\* PRIORITY DATE:

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS

CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,026
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-019822-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO PO BOX 120 BIGHORN MT 59010 PURPOSE (USE): STOCK \* SOURCE: COXS COULEE SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1972** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE

CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY

THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY **MEANS** 01 SWNENE 35 03N 36E TREASURE DAM RESERVOIR: OTR SEC SEC TWP RGE COUNTY 01 ONSTREAM SWNENE 35 03N 36E TREASURE \* PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY SWNENE 35 03N 36E TREASURE 001

NWSENE 35 03N 36E TREASURE 002 SENWNE 35 03N 36E TREASURE 003 NESWNE 35 03N 36E TREASURE 004 **REMARKS:** 

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,027 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019822-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS.
- \* DATA. OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT

PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,028
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

IMPORTANT NOTICE

WATER\*RIGHT\*NUMBER\*42KJ-W-019823-00

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO PO BOX 120 MT 59010 BIGHORN PURPOSE (USE): STOCK SOURCE: COXS COULEE SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1968** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SWSENW 35 03N 36E TREASURE DAM
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SWSENW 35 03N 36E TREASURE
PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SWSENW 35 03N 36E TREASURE
002 SESWNW 35 03N 36E TREASURE

002 REMARKS:

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,029
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019823-00\*(CONTINUED)

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, \*
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,030
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS

# BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019824-00

IMPORTANT NOTICE YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: DAVIDSON CATTLE CO PO BOX 120 BIGHORN MT 59010 PURPOSE (USE): STOCK \* SOURCE: SPRING, TRIB OF PLEASANT CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1965** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** NESWNE 01 01N 36E BIG HORN DIRECT FROM SOURCE \* PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NESWNE 01 01N 36E BIG HORN

REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

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- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,031
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019824-00\*(CONTINUED)

TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,032
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019825-00

**IMPORTANT NOTICE** 

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT

ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." OWNERS: DAVIDSON CATTLE CO
OWNERS. DAVIDSON CATTLE CO
PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK
SOURCE:
SOURCE.
WELL
SOURCE TYPE: GROUNDWATER
* PRIORITY DATE:
DECEMBER 31, 1952
TYPE OF HISTORICAL RIGHT: USE
FLOW RATE:
15.00 GDM ( 02.GEQ)
15.00 GPM (.03 CFS) * VOLUME:
VOLUME.
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31
TERIOD OF USE. JANUART OF TO DECEMBER 31
POINT OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NESWNE 01 01N 36E BIG HORN
* PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
ACRES LOT BER QTR SEC SEC TWI ROLL COUNTY
001 NESWNE 01 01N 36E BIG HORN
REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.
******************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT.  ***********************************
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12/09/03
TEMPORARY PRELIMINARY DECREE PAGE 1,033

YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ ABSTRACT OF WATER RIGHT CLAIM

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,034
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-019826-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK

\* SOURCE:

UNNAMED TRIBUTARY OF PLEASANT CREEK
SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1965

TYPE OF HISTORICAL RIGHT: USE

FLOW RATE.
NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.
* VOLUME:
V GEOME.
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
* POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENWNE 01 01N 36E BIG HORN DAM RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENWNE 01 01N 36E BIG HORN * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 S2NWNE 01 01N 36E BIG HORN REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.
12/09/03
TEMPORARY PRELIMINARY DECREE PAGE 1.035

TEMPORARY PRELIMINARY DECREE PAGE 1,035
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019826-00\*(CONTINUED)

## **REMARKS CONTINUED:**

\* ELOW DATE.

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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 TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,036
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019827-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK
\* SOURCE:

PLEASANT CREEK SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

DECEMBER 31, 1965 TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE

CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

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LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

\_\_\_\_\_

01 NWSENW 01 01N 36E BIG HORN DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_\_\_

01 ONSTREAM NWSENW 01 01N 36E BIG HORN

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 NWSENW 01 01N 36E BIG HORN

REMARKS:

\_\_\_\_

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,037
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-019827-00\*(CONTINUED)

# REMARKS CONTINUED:

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

\*

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO

## 12/09/03

## TEMPORARY PRELIMINARY DECREE PAGE 1.038 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019828-00

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YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

ORIECTIONS MAY RE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT.

ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY."
OWNERS: DAVIDSON CATTLE CO
PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK
* SOURCE:
SPRING, TRIB OF PLEASANT CREEK
SOURCE TYPE: SURFACE WATER
* PRIORITY DATE:
 DECEMBER 31, 1965
TYPE OF HISTORICAL RIGHT: USE
* FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF
STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH
SYSTEM.
* VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001 REMARKS:	SWNWSE 12 01N 36E BIG HORN

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,039
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-019828-00\*(CONTINUED)

\*

DATA, OR ISSUES TO REPORT TO THE WATER COURT.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,040
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM
WATER\*RIGHT\*NUMBER\*42KJ-W-019829-00

IMPORTANT NOTICE
YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: DAVIDSON CATTLE CO PO BOX 120 MT 59010 BIGHORN PURPOSE (USE): STOCK \* SOURCE: SPRING, TRIB OF PLEASANT CREEK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1965** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE. OR FROM A DITCH SYSTEM. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** SWSWNW 12 01N 36E BIG HORN DIRECT FROM SOURCE \* PLACE OF USE FOR STOCK: ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY 001 SWSWNW 12 01N 36E BIG HORN **REMARKS:** 

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

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<sup>\*</sup> THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,041
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019829-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

### 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,042
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019830-00

## IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120

BIGHORN MT 59010

PURPOSE (USE): STOCK

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* SOURCE:
SPRING, TRIB OF SPRING CREEK SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1965 TYPE OF HISTORICAL RIGHT: USE * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.  PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESESE 12 01N 36E BIG HORN DIRECT FROM SOURCE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESESE 12 01N 36E BIG HORN REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87. ************************************
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *  * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *  **********************************
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 1,043 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019830-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT

TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,044
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019831-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120
BIGHORN MT 59010
PURPOSE (USE): STOCK

\* SOURCE:

SPRING, TRIB OF PLEASANT CREEK
SOURCE TYPE: SURFACE WATER

\* PRIORITY DATE:

AUGUST 31, 1966
TYPE OF HISTORICAL RIGHT: USE

\* FLOW RATE:

NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

\* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK QTR SEC SEC TWP RGE COUNTY **MEANS** SESENW 12 01N 36E BIG HORN DIRECT FROM SOURCE \* PLACE OF USE FOR STOCK: ACRES LOT BLK OTR SEC SEC TWP RGE COUNTY 001 SESENW 12 01N 36E BIG HORN **REMARKS**:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1.045 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019831-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES. FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

## 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 1,046 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019832-00

01

## IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING TER NA

THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WA COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTA
SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY."  OWNERS: DAVIDSON CATTLE CO
PO BOX 120 BIGHORN MT 59010 PURPOSE (USE): STOCK
* SOURCE:
SPRING, TRIB OF PLEASANT CREEK SOURCE TYPE: GROUNDWATER * PRIORITY DATE:
SEPTEMBER 30, 1971 TYPE OF HISTORICAL RIGHT: FILED * FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

SESENW 01 01N 36E BIG HORN DIRECT FROM SOURCE

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001 REM <i>E</i>	ARKS:	SESENW 01 01N 36E BIG HORN

- \* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
- \* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,047
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019832-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,048
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019836-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING

THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT. OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." OWNERS: DAVIDSON CATTLE CO PO BOX 120 **BIGHORN** MT 59010 PURPOSE (USE): STOCK \* SOURCE: SPRING, TRIB OF SARPY CREEK, EAST FORK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1965** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. \* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE. PERIOD OF USE: JANUARY 01 TO DECEMBER 31 POINT OF DIVERSION AND MEANS OF DIVERSION: LOT BLK OTR SEC SEC TWP RGE COUNTY **MEANS** 01 SENESE 21 01S 39E BIG HORN DIRECT FROM SOURCE \* PLACE OF USE FOR STOCK: LOT BLK OTR SEC SEC TWP RGE COUNTY ACRES SENESE 21 01S 39E BIG HORN 001 **REMARKS**:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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### 12/09/03

# TEMPORARY PRELIMINARY DECREE PAGE 1,049 YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019836-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,050
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ
ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019837-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

OWNERS: DAVIDSON CATTLE CO

PO BOX 120 BIGHORN

MT 59010

PURPOSE (USE): STOCK

\* SOURCE:

SOURCE TYPE: SURFACE WATER * PRIORITY DATE:
DECEMBER 31, 1965 TYPE OF HISTORICAL RIGHT: USE
* FLOW RATE:
NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.  * VOLUME:
THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
POINT OF DIVERSION AND MEANS OF DIVERSION:
LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSWNE 21 01S 39E BIG HORN DIRECT FROM SOURCE * PLACE OF USE FOR STOCK:
ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSWNE 21 01S 39E BIG HORN REMARKS:
NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.
* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *  * DATA, OR ISSUES TO REPORT TO THE WATER COURT. *  **********************************
12/09/03 TEMPORARY PRELIMINARY DECREE PAGE 1 051

TEMPORARY PRELIMINARY DECREE PAGE 1,051
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

SPRING, TRIB OF SARPY CREEK, EAST FORK

WATER\*RIGHT\*NUMBER\*42KJ-W-019837-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT

TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.

12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,052
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM WATER\*RIGHT\*NUMBER\*42KJ-W-019838-00

- - -

## IMPORTANT NOTICE

OWNERS: DAVIDSON CATTLE CO

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER

RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (\*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

PO BOX 120 **BIGHORN** MT59010 PURPOSE (USE): STOCK \* SOURCE: SPRING, TRIB OF SARPY CREEK, EAST FORK SOURCE TYPE: SURFACE WATER \* PRIORITY DATE: **DECEMBER 31, 1965** TYPE OF HISTORICAL RIGHT: USE \* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. \* VOLUME:

THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED

FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NWNWNE 21 01S 39E BIG HORN DIRECT FROM SOURCE

\* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

\_\_\_\_\_

001 NWNWNE 21 01S 39E BIG HORN

REMARKS:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/11/87.

\*

\* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,

\* DATA, OR ISSUES TO REPORT TO THE WATER COURT.

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## 12/09/03

TEMPORARY PRELIMINARY DECREE PAGE 1,053
YELLOWSTONE RIVER BETWEEN BIGHORN AND TONGUE RIVERS
BASIN 42KJ

ABSTRACT OF WATER RIGHT CLAIM

WATER\*RIGHT\*NUMBER\*42KJ-W-019838-00\*(CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 1389, BOZEMAN MT 59771-1389.