

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,297

WATER RIGHT NUMBER 400-W-076665-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILDERNESS COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 31, 1972
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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 SWNW 15 26N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWNW 15 26N 38E VALLEY

RESERVOIR/LAKE NAME: RAIN RESERVOIR

* **PLACE OF USE FOR STOCK:**

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWNW 15 26N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER 400-W-076665-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076664-00, W076665-00.

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

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

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

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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER 400 W-076666-00

IMPORTANT NOTICE

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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILDERNESS COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 22, 1965
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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					SWNWE	17	26N	38E	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY		
01					SWNWE	17	26N	38E	VALLEY

RESERVOIR/LAKE NAME: BOONE RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
001					SWNWE	17	26N	38E	VALLEY

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,300

WATER RIGHT NUMBER 400-W-076666-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076666-00, W076667-00.

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

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FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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PAGE 2,301

WATER RIGHT NUMBER 400-W-076667-00

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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILDERNESS COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 22, 1965
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 3.60 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 SWNWNE 17 26N 38E VALLEY DAM

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----
01 ONSTREAM SWNWNE 17 26N 38E VALLEY

RESERVOIR/LAKE NAME: BOONE RESERVOIR

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY -----
001 SWNWNE 17 26N 38E VALLEY

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PRELIMINARY DECREE
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BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER 400-W-076667-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076666-00, W076667-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x x x x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x x x x x x

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P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 400g-W-076668-00

IMPORTANT NOTICE

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: WILDERNESS COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 23, 1965
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 2.60 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 (GOVT) 1 NWNW 18 26N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM NWNW 18 26N 38E VALLEY

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 (GOVT) 1 NWNW 18 26N 38E VALLEY

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PRELIMINARY DECREE
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BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER W-076668-00 (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.
W076668-00, W076669-00.

* 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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 400-W-076669-00

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: WILDERNESS COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 23, 1965
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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	(GOUT)	1		NHW	18	26N	38E	VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY		
01	DNSTREAM			NHW	18	26N	38E	VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001	(GOUT)	1		NHW	18	26N	38E	VALLEY	

REMARKS:

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PRELIMINARY DECREE
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BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076669-00 (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.
W076668-00, W076669-00.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
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ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER 4002-W-076670-00

IMPORTANT NOTICE

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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF DOG CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 11, 1970
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 4.10 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						19	26N	38E	VALLEY DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY	
01	DNSTREAM			19	26N	38E	VALLEY

PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001						19	26N	38E	VALLEY

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WATER RIGHT NUMBER 400X-W-076670-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
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W076670-00, W076671-00.

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: THERE IS A QUESTION AS TO THE VALIDITY OF THIS :
: CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE :
: AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE :
: MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE :
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FLOW RATES, VOLUMES, 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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1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03-31-95
PAGE 2,309

WATER RIGHT NUMBER: 400g-W-076671-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

* PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF DOG CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 11, 1970
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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			SENESE	19	26N	38E	VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
01			ONSTREAM	SENESE	19	26N	38E	VALLEY

PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SENESE	19	26N	38E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,310

WATER RIGHT NUMBER W-076671-00 (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.
W076670-00, W076671-00.

1 THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 1
1 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 1

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,311

WATER RIGHT NUMBER 400X-W-076672-00

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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36000
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF DOG CREEK
SOURCE TYPE: SURFACE WATER

EFFICIENCY DATE: FEBRUARY 28, 1951
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 4.60 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 NESW 19 26N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DOWNSTREAM NESW 19 26N 38E VALLEY

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESW 19 26N 38E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
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PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,312

WATER RIGHT NUMBER 400-V-076672-00 (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.
W076672-00, W076673-00.

* 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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P. O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,313

WATER RIGHT NUMBER: 400-W-076673-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF DOG CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1951
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	NEARNS
01		NESW	19	26N	38E	VALLEY	DNM	

RESERVOIR:

LOT	ONSTREAM	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	NESW	19	26N	38E	VALLEY	

PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			NESW	19	26N	38E	VALLEY	

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,314

WATER RIGHT NUMBER 400-V-076673-00 (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.
W076672-00, W076673-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,315

WATER RIGHT NUMBER 400-W-076674-00

IMPORTANT NOTICE

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILDERNESS COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1900
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 13.00 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 NENE 22 26N 38E VALLEY DAM

RESERVOIR:

_____ QTR SEC SEC TWP RGE COUNTY _____
01 ONSTREAM NENE 22 26N 38E VALLEY

PLACE OF USE FOR STOCK:

_____ ACRES _____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____
001 NENE 22 26N 38E VALLEY

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PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,316

WATER RIGHT NUMBER 400-U-076674-00 (CONTINUED)

REMARKS CONTINUED:

X		X
X	USDA AERIAL PHOTOGRAPH NO. 279-7, DATED 05/07/80,	X
X	SHOWS NO EVIDENCE OF A RESERVOIR AT THE CLAIMED PLACE	X
X	OF USE.	X
X		X
X	EXISTENCE OF THE CLAIMED RESERVOIR CANNOT BE	X
X	CONFIRMED WITH AVAILABLE DATA.	X
X		X
X	THE CLAIMED VOLUME CANNOT BE CONFIRMED DUE TO	X
X	LACK OF DATA.	X
X		X
X		X

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09/31/95
PAGE 2,317

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076675-00

IMPORTANT NOTICE

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE USE: WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILDERNESS COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 31, 1972
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 2.60 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			NWNE	23	26N	38E	VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		ONSTREAM		NWNE	23	26N	38E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				NWNE	23	26N	38E	VALLEY

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,318

WATER RIGHT NUMBER 400-U-076675-00 (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.
W076675-00, W076676-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
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* * * * *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
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* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,319

WATER RIGHT NUMBER 400-1-W-076675-00

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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILDERNESS COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 31, 1972
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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 NWNE 23 26N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NWNE 23 26N 38E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NWNE 23 26N 38E VALLEY

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,320

WATER RIGHT NUMBER 400-W-076676-00 (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.
W076675-00, W076676-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER 400-W-076677-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

SOURCE: WILDERNESS COULEE
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: 280.00 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 SENW 24 26N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENW 24 26N 38E VALLEY

RESERVOIR/LAKE NAME: CACTUS FLATS RESERVOIR
CAPACITY: 411.0 AC-FT DAM HEIGHT: 18 FT SURFACE AREA: 72.00 ACRES

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

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

* PLACE OF USE FOR FLOOD CONTROL:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENE 23 26N 38E VALLEY
002 NESE 23 26N 38E VALLEY
003 SESE 24 26N 38E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER W-076677-00 (CONTINUED)

PLACE OF USE CONTINUED:

004

N25W 24 26N 38E VALLEY

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076677-00, W076678-00, W076679-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL *
* USE OF WATER EXISTING PRIOR TO JULY 1, 1973. *
* * * * *
* THE USE OF THIS WATER APPEARS TO BE LARGELY *
* NON-CONSUMPTIVE. *
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3E70 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITewater CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 400-W-076678-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: WILDERNESS COULEE
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: 19.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

	LDI	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SE	NW	24	26N	30E	VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM			SE	NW	24 26N 30E VALLEY

RESERVOIR/LAKE NAME: CACTUS FLATS RESERVOIR
CAPACITY: 411.0 AC=EI DAM HEIGHT: 18 FE SURFACE AREA: 72.00 ACRES

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

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

* PLACE OF USE FOR WILDLIFE:

	ACRES	LDI	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SE	NE	23	26N	30E	VALLEY
002				SE	NE	23	26N	30E	VALLEY
003				SE	NE	24	26N	30E	VALLEY

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PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 400x-W-076679-00x (CONTINUED)

PLACE OF USE CONTINUED:

004

N25W 24 26N 38E VALLEY

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076677-00, W076678-00, W076679-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-U-076680-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (CSEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): IRRIGATION
TYPE OF IRRIGATION SYSTEM: FLOOD

SOURCE: WILDERNESS COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 30, 1957
TYPE OF HISTORICAL RIGHT: FILED

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DNSTREAM RESERVOIR.

VOLUME: 162.00 AF
CLIMATIC AREA: 2

MAXIMUM ACRES: 108.00

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		NESW	24	26N	38E	VALLEY	DAM

RESERVOIR:

LOT	DNSTREAM	QTR	SEC	SEC	TWP	RGE	COUNTY	CAPACITY	DAM HEIGHT	SURFACE AREA	ACRES
01	DNSTREAM		NESW	24	26N	38E	VALLEY	411.0	18.51		

* PLACE OF USE FOR IRRIGATION:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001	102.00		S2	24	26N	38E	VALLEY	
002	6.00		N2NE	25	26N	38E	VALLEY	
TOTAL	108.00							

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 400-W-076680-001 (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 CLAIMED PERIOD OF USE EXCEEDS THE USUAL GROWING *
* SEASON FOR THIS CLIMATIC AREA WHICH IS APRIL 1 TO *
* OCTOBER 31. *
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITewater CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER 400-W-076681-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

PRIORITY DATE: DECEMBER 20, 1963
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: 4.49 GPM

VOLUME: 6.86 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

01 SWSNW 25 26N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWSNW 25 26N 38E VALLEY

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076681-00, W076682-00.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER 4003-W-076681-002 (CONTINUED)

REMARKS CONTINUED:

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X X X
X X X X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X X X X
X VOLUME MAY BE EXCESSIVE. BASED ON THE FLOW RATE AND X
X PERIOD OF USE, THE SYSTEM WOULD HAVE TO RUN 22.6 X
X HOURS PER DAY TO DELIVER THE CLAIMED VOLUME. NO X
X INFORMATION EXISTS IN THE CLAIM FILE TO CONFIRM THIS X
X FIGURE. X
X X X X X

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-S-W-076682-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

PRIORITY DATE: DECEMBER 20, 1963
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: 4.49 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 SWSWNW 25 26N 38E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWSWNW 25 26N 38E VALLEY

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER 400-W-076682-00 (CONTINUED)

REMARKS CONTINUED:

W076681-00, W076682-00.

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

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

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 400 W-076683-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILDERNESS COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1968
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 4.60 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 SWNE 25 26N 30E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWNE 25 26N 30E VALLEY

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWNE 25 26N 30E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* H 17

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,335

WATER RIGHT NUMBER 400g-W-076684-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILDERNESS COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1968
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- BEANS
01 SWNE 25 26N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWNE 25 26N 38E VALLEY

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWNE 25 26N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,336

WATER RIGHT NUMBER 400-W-076684-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076683-00, W076684-00

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,337

WATER RIGHT NUMBER 400-V-076685-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE/USE: STOCK

SOURCE: UNNAMED TRIBUTARY OF WILDERNESS COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1969
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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 SENWNE 25 26N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SENWNE 25 26N 38E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SENWNE 25 26N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,338

WATER RIGHT NUMBER 400-W-076685-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076685-00, W076687-00

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,339

WATER RIGHT NUMBER 400-M-076686-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILDERNESS CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 6.60 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 NWNENE 25 26N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NWNENE 25 26N 38E VALLEY
THE DAM EXTENDS INTO SWSESE SEC 24 TWP 26N RGE 38E
VALLEY COUNTY.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWSESE 24 26N 38E VALLEY
002 NWNENE 25 26N 38E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 40G
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,341

WATER RIGHT NUMBER: 4003-W-076687-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILDERNESS COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1969
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 9.60 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 SENWNE 25 26N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENWNE 25 26N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENWNE 25 26N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* A 18

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,342

WATER RIGHT NUMBER 400 - W-076687-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076685-00, W076687-00

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X X
X X X X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X X X
X *****

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P. O. BOX 879, BOZEMAN MT 59771-0879.

* B 18

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,343

WATER RIGHT NUMBER 400-W-076688-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE / USE: STOCK

SOURCE: UNNAMED TRIBUTARY OF WILDERNESS COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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 NWNE 25 26N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM NWNE 25 26N 38E VALLEY

THE DAM EXTENDS INTO SWSE SEC 24 TWP 26N RGE 38E
VALLEY COUNTY.

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSE 24 26N 38E VALLEY
002 NWNE 25 26N 38E VALLEY

REMARKS:

* C 18

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/85
PAGE 2,344

WATER RIGHT NUMBER 400-W-076688-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076688-00, W076688-00

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, DEERMAN MT 59771-0879.

03/31/95
PAGE 2,345

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 14001-W-076689-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY," UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE. THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: DOG CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 15, 1948
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 79.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LDI BLK QIR SEC SEC TWP RGE COUNTY MEANS -----
01 SWSE 27 26N 38E VALLEY DAM

RESERVOIR:

----- QIR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWSE 27 26N 38E VALLEY

RESERVOIR/LAKE NAME: DOG CREEK DENTENTION RESERVOIR
CAPACITY: 79.4 AC-FI DAM HEIGHT: 15 FI SURFACE AREA: 8CBES

SEE THE MONTANA WATER RESOURCES BOARD WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR WILDLIFE:

----- ACES ----- LDI BLK QIR SEC SEC TWP RGE COUNTY -----
001 SWSWSE 27 26N 38E VALLEY
002 SESW 27 26N 38E VALLEY

REMARKS:

* E 18

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,346

WATER RIGHT NUMBER 4001-W-076689-001 (CONTINUED)

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076589-00, W076590-00, W076591-00.

* 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. *
* * * * *

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

THE CLAIMED VOLUME MAY BE EXCESSIVE FOR THE CLAIMED PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,347

WATER RIGHT NUMBER: 4001-W-076690-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: DOG CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 15, 1948
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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 SWSE C/ 26N 38E VALLEY DAM

RESERVOIR:

_____ QTR_SEC_SEC_TWP_RGE_COUNTY _____

01 ONSTREAM SWSE 27 26N 38E VALLEY

RESERVOIR/LAKE NAME: DOG CREEK DENTENTION RESERVOIR
CAPACITY: 79.4 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: _____ ACRES

* PLACE OF USE FOR STOCK:

_____ ACRES _____ LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY _____

001 SWSWSE 27 26N 38E VALLEY
002 SESW 27 26N 38E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,348

WATER RIGHT NUMBER 400-U-076690-00 (CONTINUED)

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076585-00, W076590-00, W076591-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

* H 18

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,349

WATER RIGHT NUMBER 4003-W-076691-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): IRRIGATION
TYPE OF IRRIGATION SYSTEM: WATER SPREADING

SOURCE: DQG CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 15, 1948
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 495.50 AF
CLIMATIC AREA: 2

MAXIMUM ACRES: 397.00

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		SWSE	27 26N 38E	VALLEY DIVERSION DAM

* PLACE OF USE FOR IRRIGATION:

ACRES		LOT BLK QTR SEC SEC TWP RGE COUNTY					
001	13.80		S2SW	26	26N	38E	VALLEY
002	4.40		S2S2SE	27	26N	38E	VALLEY
003	53.80		NE	34	26N	38E	VALLEY
004	247.50		N2	35	26N	38E	VALLEY
005	77.50		N2S2	35	26N	38E	VALLEY
TOTAL	397.00						

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,350

WATER RIGHT NUMBER 400-W-076691-00 (CONTINUED)

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 DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076589-00, W076590-00, W076591-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,351

WATER RIGHT NUMBER 400-W-076692-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

SOURCE: DOG CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 08, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 70.00 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 SESESE 20 26N 30E VALLEY DAM

RESERVOIR:

_____ QTR_SEC SEC TWP_RGE COUNTY _____

01 ONSTREAM SESESE 20 26N 30E VALLEY

RESERVOIR/LAKE NAME: DOG CREEK RETENTION RESERVOIR
CAPACITY: 79.8 AC-FT DAM HEIGHT: 10 FT SURFACE AREA: 16.70 ACRES

THE DAM EXTENDS INTO THE N2W/4 SEC 29 TWP 26N RGE 30E
VALLEY COUNTY.

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 ELOOD CONTROL:

* K 18

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076692-00 (CONTINUED)

PLACE OF USE CONTINUED:

	ACRES	LOT	BLK	QTR	SEC	TWP	RGE	COUNTY	
001					SESE	20	26N	38E	VALLEY
002					N2ENE	29	26N	38E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076692-00, W076693-00, W076694-00.

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* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL *
* USE OF WATER EXISTING PRIOR TO JULY 1, 1973. *
* *
* THE USE OF THIS WATER APPEARS TO BE LARGELY *
* NON-CONSUMPTIVE. *
* *
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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,353

WATER RIGHT NUMBER 4003-V-076693-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

ADDRESS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: DOG CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 08, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 9.00 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 SESESE 20 26N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SESESE 20 26N 38E VALLEY

RESERVOIR/LAKE NAME: DOG CREEK DETENTION RESERVOIR
CAPACITY: 74.8 AC-FT DAM HEIGHT: 10 FT SURFACE AREA: 18.70 ACES

THE DAM EXTENDS INTO THE N2ENE SEC 29 TWP 26N RGE 38E
VALLEY COUNTY.

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 WILDLIFE:

* M 18

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-M-076693-00 (CONTINUED)

PLACE OF USE CONTINUED:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001					SESE	20	26N	38E	VALLEY
002					N2ENE	29	26N	38E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076692-00, W076693-00, W076694-00.

 x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
 x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
 x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
 x x x x x x x x
 x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
 x CLAIMED RIGHT IN THE MATTER OF THE DEARBORN DRAINAGE x
 x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
 x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
 x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
 x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
 x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
 x x x x
 x *****

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER: 400X-W-076694-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: DOG CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 08, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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 SESESE 20 26N 30E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM SESESE 20 26N 30E VALLEY

RESERVOIR/LAKE NAME: DOG CREEK DETENTION RESERVOIR
CAPACITY: 74.8 AC-FT DAM HEIGHT: 10 FT SURFACE AREA: 18.70 ACES

THE DAM EXTENDS INTO THE N2W/4 SEC 29 TWP 26N RGE 30E
VALLEY COUNTY.

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 EOB STOCK:

* 0 18

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PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400 W-076694-00 (CONTINUED)

PLACE OF USE CONTINUED:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001					29	26N	38E		VALLEY
002					29	26N	38E		VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076692-00, W076693-00, W076694-00.

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

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

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 4001-V-076695-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF DGG CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 4.60 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 SWSENE 29 26N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM SWSENE 29 26N 38E VALLEY

RESERVOIR/LAKE NAME: WILDERNESS RESERVOIR

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWSENE 29 26N 38E VALLEY
002 SESWNE 29 26N 38E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,359

WATER RIGHT NUMBER: 4002-V-076696--00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF DOG CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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				SWSENE	29	26N	38E	VALLEY	DAM
02				SESWNE	29	26N	38E	VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM		SESWNE	29	26N	38E	VALLEY

RESERVOIR/LAKE NAME: WILDERNESS RESERVOIR

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001					SWSENE	29	26N	38E	VALLEY
002					SESWNE	29	26N	38E	VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITENATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,360

WATER RIGHT NUMBER 400-V-076696-00 CONTINUED

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076695-00, W076696-00

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,361

WATER RIGHT NUMBER 400 W-076697-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF DOG CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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 SWNW 29 26N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWNW 29 26N 38E VALLEY

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWNW 29 26N 38E VALLEY

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

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,362

WATER RIGHT NUMBER 400-W-076697-00 (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.
W076697-00, W076698-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THE CLAIMED PURPOSE (USE) CANNOT BE CONFIRMED DUE TO *
* LACK OF DATA. *
* * * * *
* EXISTENCE OF THE CLAIMED RESERVOIR CANNOT BE CONFIRMED *
* WITH AVAILABLE DATA. SEE CLAIM FILE FOR ADDITIONAL *
* INFORMATION. *
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,963

WATER RIGHT NUMBER 4002-W-076698-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 38600
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF DOG CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 2.60 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 SWNW 29 26N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWNW 29 26N 38E VALLEY

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWNW 29 26N 38E VALLEY

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

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,364

WATER RIGHT NUMBER 400-W-076698-00 (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.
W076697-00, W076698-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* * * * *
* THE CLAIMED PURPOSE (USE) CANNOT BE CONFIRMED DUE TO *
* LACK OF DATA. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *
* EXISTENCE OF THE CLAIMED RESERVOIR CANNOT BE *
* CONFIRMED WITH AVAILABLE DATA. 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
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,365

WATER RIGHT NUMBER 400 W-076699-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF PEARSON COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 31, 1970
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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 SWNW 31 26N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SWNW 31 26N 38E VALLEY

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWNW 31 26N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,366

WATER RIGHT NUMBER 400-W-076699-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076699-00, W076700-00

* 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
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DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,367

WATER RIGHT NUMBER: 4002-W-076700-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF PEARSON COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 31, 1970
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 4.10 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 _____ S4NW 31 26N 38E VALLEY _____ DAM

RESERVOIR:

_____ QTR SEC SEC TWP RGE COUNTY _____
01 ONSTREAM _____ S4NW 31 26N 38E VALLEY

PLACE OF USE FOR WILDLIFE:

_____ ACRES _____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____
001 _____ S4NW 31 26N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* L 19

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076701-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF PEARSON COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1960
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 2.60 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			NESW	32 26N	38E	VALLEY		DAM

RESERVOIR:

QTR	SEC	SEC	TWP	RGE	COUNTY
01	DNSTREAM		NESW	32 26N	38E VALLEY

PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			NESW	32 26N	38E	VALLEY		

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,370

WATER RIGHT NUMBER W-076701-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076701-00, W076702-00

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 294 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P. O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,371

WATER RIGHT NUMBER 4002-W-076702-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF PEARSON COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1960
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND REASONS OF DIVERSION:

----- LOT, BLK, QTR, SEC, TWP, RGE, COUNTY ----- NEARS -----

01 NESW 32 26N 38E VALLEY DAM

RESERVOIR:

----- QTR, SEC, TWP, RGE, COUNTY -----

01 DNSTREAM NESW 32 26N 38E VALLEY

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT, BLK, QTR, SEC, TWP, RGE, COUNTY -----

001 NESW 32 26N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,372

WATER RIGHT NUMBER 400-W-076702-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076701-00, W076702-00

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,373

WATER RIGHT NUMBER 400 W-076703-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF DOG CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 13, 1970
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 3.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		S25ENE	33	26N	38E	VALLEY	DAM	

RESERVOIR:

DIR	SEC	SEC	TWP	RGE	COUNTY	
01	DNSTREAM	S25ENE	33	26N	38E	VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY
001			S25ENE	33	26N	38E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* C 20

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,374

WATER:RIGHT:NUMBER:400:W-076703-00:(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076703-00, W076704-00

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

X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X X

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

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,375

WATER RIGHT NUMBER 4002-W-076704-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF DOG CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 13, 1970
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY DEANS -----
01 S2SENE 33 26N 38E VALLEY DAN

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM S2SENE 33 26N 38E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 S2SENE 33 26N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,376

WATER RIGHT NUMBER W-076704-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076703-00, W076704-00

* 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,
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,377

WATER RIGHT NUMBER 400X-W-076705-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN IN THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF DOG CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 31, 1972
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .60 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 NESENE 34 26N 38E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY

01 DNSTREAM NESENE 34 26N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NESENE 34 26N 38E VALLEY

REDBBKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-M-076705-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076705-00, W076706-00

 x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
 x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
 x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
 x x
 x x
 x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
 x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
 x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
 x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
 x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
 x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
 x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
 x x
 x *****

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2.379

WATER RIGHT NUMBER 4002-W-076706-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF DOG CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 31, 1972
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT_BLK QT8 SEC SEC TWP RGE COUNTY MEANS -----
01 NESENE 34 26N 30E VALLEY PIT

RESERVOIR:

----- QT8 SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NESENE 34 26N 30E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT_BLK QT8 SEC SEC TWP RGE COUNTY -----
001 NESENE 34 26N 30E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,380

WATER RIGHT NUMBER 400 - W-076706-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076705-00, W076706-00

* 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,
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TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400

03-31-95
PAGE 2,381

ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-076707-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 18, 1965
TYPE OF HISTORICAL RIGHT: USE

ELDW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 2.60 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 SWSNW 36 26N 38E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SWSNW 36 26N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWSNW 36 26N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,383

WATER RIGHT NUMBER 400-W-076708-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 18, 1965
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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 SWSNW 36 26N 38E VALLEY PIT
RESERVOIR:

----- QTR, SEC, SEC, TWP, RGE, COUNTY -----
01 ONSTREAM SWSNW 36 26N 38E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT, BLK, QTR, SEC, SEC, TWP, RGE, COUNTY -----
001 SWSNW 36 26N 38E VALLEY

REMARKS:

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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,384

WATER RIGHT NUMBER 400-W-076708-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE
IN ACCORD WITH HISTORICAL PRACTICES.
W076707-00, W076708-00

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

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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P.O. BOX 879, BOZEMAN MT 59771-0879.

03/31/95
PAGE 2,385

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER:RIGHT:NUMBER:400:W-076709-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

PRIORITY DATE: MAY 04, 1956
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 4.98 GPM

VOLUME: 7.64 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION:

----- LOT BLK QTR SEC SEC 1WP RGE COUNTY

01 SENE 36 26N 38E VALLEY

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC 1WP RGE COUNTY

001 SENE 36 26N 38E VALLEY

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076709-00, W076710-00.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,387

WATER RIGHT NUMBER 4001-W-076710-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

PRIORITY DATE: MAY 04, 1956
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 4.98 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 SENE 36 26N 38E VALLEY

PLACE OF USE FOR STOCK:

____ ACRES _____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____

001 SENE 36 26N 38E VALLEY

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,388

WATER RIGHT NUMBER: 400-W-076710-00 (CONTINUED)

REMARKS CONTINUED:

W076709-00, W076710-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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PAGE 2,389

WATER RIGHT NUMBER: 400-W-076711-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1948
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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 SWSE 03 26N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SWSE 03 26N 39E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 S2SE 03 26N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,390

WATER RIGHT NUMBER: 400-W-076711-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076711-00, W076712-00

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,391

WATER RIGHT NUMBER: 400-W-076712-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1948
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 4.60 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 SW5E 03 26N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SW5E 03 26N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 S25E 03 26N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,393

WATER RIGHT NUMBER: 4001-W-076713-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 31, 1939
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 2.10 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 SWNE 05 26N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWNE 05 26N 39E VALLEY

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNE 05 26N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,394

WATER RIGHT NUMBER: 002-W-076713-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076713-00, W076714-00

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

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
x
x
x

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,395

WATER RIGHT NUMBER: 4003-W-076714-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* **SOURCE:** UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

* **PRIORITY DATE:** AUGUST 31, 1939
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC IWP RGE COUNTY ----- MEANS -----

01 SWNE 05 26N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC IWP RGE COUNTY -----

01 ONSTREAM SWNE 05 26N 39E VALLEY

* **PLACE OF USE FOR STOCK:**

----- ACRES ----- LOT BLK QTR SEC SEC IWP RGE COUNTY -----

001 SWNE 05 26N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,396

WATER RIGHT NUMBER 400-W-076714-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076713-00, W076714-00

: 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,
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OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,997

WATER RIGHT NUMBER W-076715-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 31, 1972
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 2.60 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 NENW 07 26N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NENW 07 26N 39E VALLEY

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NENW 07 26N 39E VALLEY
002 (GOUT) 1 NWNW 07 26N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,399

WATER RIGHT NUMBER 400-V-076716-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 31, 1972
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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					NENW	07 26N	39E VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01					NENW	07 26N	39E VALLEY

PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001						NENW	07 26N	39E VALLEY
002						NENW	07 26N	39E VALLEY

REMARKS:

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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,400

WATER RIGHT NUMBER: 400-V-076716-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076715-00, W076716-00

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER DELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 4001-V-076717-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS YOU OBJECTED TO OR CALLED IN ON A MOTION OF THE MONTANA WATER COURT IN THIS DEGREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: DECEMBER 12, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND DEBARS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY DEBARS

01 N43E5E 08 26N 39E ULLALEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 N43E5E 08 26N 39E ULLALEY

RESERVOIR/LAKE NAME: ROAD RESERVOIR

THE DAM EXTENDS INTO N43E5E, SEC 8, TWP 26N RGE 39E ULLALEY COUNTY.

* PLACE OF USE FOR FLOODS:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
00.1				S43E5E	08	26N	39E	ULLALEY
00.2				N43E5E	08	26N	39E	ULLALEY
00.3				S43E5E	08	26N	39E	ULLALEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-V-076717-00 (CONTINUED)

REMARKS CONTINUE:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076717-00, W076718-00

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x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
x UNRESOLVED IF NO OBJECTIONS ARE FILED.
x
x
x
x
x
x
x THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE
x FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING
x PLACES OF USE. W076717-00, W076718-00, W13066-00
x
x
x
*****

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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 PERMITS, DUTY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,403

WATER RIGHT NUMBER 400 W-076718-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: DECEMBER 12, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 2.60 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 MNWSE 08 26N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM MNWSE 08 26N 39E VALLEY

RESERVOIR/LAKE NAME: ROAD RESERVOIR

THE DAN EXTENDS INTO MNWSE, SESWNE, SEC 8 TWP 26N RGE
39E VALLEY COUNTY.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SESWNE 08 26N 39E VALLEY
002 N2SE 08 26N 39E VALLEY
003 S5SE 08 26N 39E VALLEY

REMARKS:

* C 22

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2.405

WATER RIGHT NUMBER 400-W-076719-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND BEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY BEANS -----
01 SWNE 09 26N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWNE 09 26N 39E VALLEY

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWNE 09 26N 39E VALLEY

BEARINGS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,406

WATER RIGHT NUMBER 400-W-076719-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076719-00, W076720-00

* 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
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P. D. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,407

WATER RIGHT NUMBER 400-W-076720-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 12.48 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LDI BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS

01 SWNE 09 26N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SWNE 09 26N 39E VALLEY

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LDI BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWNE 09 26N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,408

WATER RIGHT NUMBER 400-W-076720-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076719-00, W076720-00

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

X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,409

WATER RIGHT NUMBER 400-V-076721-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 20, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC TWP RGE COUNTY MEANS
01 NESEW 09 26N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESEW 09 26N 39E VALLEY

RESERVOIR/LAKE NAME: ARCHAMBEAULT DROP RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESEW 09 26N 39E VALLEY

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

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,410

WATER RIGHT NUMBER 400-V-076721-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREE THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076721-00, W076722-00.

* 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
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OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400 W-076722-00

IMPORTANT NOTICE

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 20, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 4.60 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		NESEW	09 26N	39E	VALLEY	DAM	

RESERVOIR:

QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	NESEW	09 26N	39E	VALLEY

RESERVOIR/LAKE NAME: ARCHAMBEAULT DROP RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001		NESEW	09 26N	39E	VALLEY			

REDBB85:

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

* K 22

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER 400-W-076722-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREEZ THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076721-00, W076722-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X X

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YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,413

WATER RIGHT NUMBER 400-W-076723-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 31, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .62 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 SWSW 11 26N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSW 11 26N 39E VALLEY

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSW 11 26N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,414

WATER RIGHT NUMBER 400-W-076723-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076723-00, W076724-00

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,415

WATER RIGHT NUMBER 4003-V-076724-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 31, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .38 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		SWSW	11	26N	39E	VALLEY	DN	

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		ONSTREAM		SWSW	11	26N	39E VALLEY

PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SWSW	11	26N	39E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* 0 22

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,416

WATER RIGHT NUMBER 400-V-076724-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076723-00, W076724-00

* 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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1908) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN AT 59711-0879.

PRELIMINARY DECREE
RIVER FLOW WATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

2/3/95
PAGE 2,417

WATER RIGHT NUMBER: 14-0-075725-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON NOTICE OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED)

DIVERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 3680
BILLINGS MT 59110

PURPOSE: IRRIGATION

SOURCE: UNIMPAVED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 17, 1948
TYPE OF WATER RIGHT: USE

ELOW STATE: NO FLOW STATE HAS BEEN DECREED FOR THIS USE FROM THIS ANASTREAM RESERVOIR.

VOLUME: 6.2 CFS

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY BEENS

01 SESEWN 13 26N 39E VALLEY DAN

RESERVOIR:

01 DANEFARM SEC SEC TWP RGE COUNTY

01 DANEFARM SEC SEC TWP RGE COUNTY

RESERVOIR NAME: DANEFARM RESERVOIR

PLACE OF DIVERSION:

LOT BLK QTR SEC TWP RGE COUNTY

001 SWSENG 13 26N 39E VALLEY
002 SWNW 13 26N 39E VALLEY
003 NFNWSW 13 26N 39E VALLEY

REDBKKS:

* B 23

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,418

WATER RIGHT NUMBER: 400 W-076725-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076725-00, W076726-00

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,419

WATER RIGHT NUMBER 4002-W-076726-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1948
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 2.38 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		SE	SW	NW	13	26N	39E	VALLEY DAN

RESERVOIR:

LOT	QTR	SEC	SEC	TWP	RGE	COUNTY
01	DNSTREAM		SE	SW	NW	13 26N 39E VALLEY

RESERVOIR/LAKE NAME: MUD RUN RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SW	SE	NW	13	26N	39E VALLEY
002			SW	SW	NW	13	26N	39E VALLEY
003			NE	SW	NW	13	26N	39E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,420

WATER RIGHT NUMBER 400-W-076726-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE 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.
W076725-00, W076726-00

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

x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x x
x x

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,421

WATER RIGHT NUMBER 400-W-076727-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

- * SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER
- * PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED
- FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.
- VOLUME: 4.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY DEANS
01 SWSWSW 14 26N 39E VALLEY DAM/PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM SWSWSW 14 26N 39E VALLEY

- * PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSWSW 14 26N 39E VALLEY

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

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,423

WATER RIGHT NUMBER 400-0-076728-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 18, 1966
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: 1.38 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					SENENE	14	26N	39E	VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY			
01					ONSTREAM	SENENE	14	26N	39E	VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY		
001						SENENE	14	26N	39E	VALLEY

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

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,424

WATER RIGHT NUMBER 400 W-076728-00 (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. W076728-00, W076730-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x
x x x
x x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x x
x x x

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

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,425

WATER RIGHT NUMBER 400-V-076729-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: .40 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 SWSWSW 14 26N 39E VALLEY DAM/PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM SWSWSW 14 26N 39E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWSWSW 14 26N 39E VALLEY

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

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,426

WATER RIGHT NUMBER 400 W-076729-00 (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.
W076727-00, W076729-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,427

WATER RIGHT NUMBER 400-W-076730-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 18, 1966
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: .62 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 SENENE 14 26N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENENE 14 26N 39E VALLEY

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENENE 14 26N 39E VALLEY

BEMDBSS:

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

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,428

WATER RIGHT NUMBER 400-W-076730-00 (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.
W076728-00, W076730-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,429

WATER RIGHT NUMBER 400-W-076731-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: DECEMBER 15, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 59.38 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 SENWSE 16 26N 39E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SENWSE 16 26N 39E VALLEY

SEE THE MONTANA WATER RESOURCES BOARD WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SENWSE 16 26N 39E VALLEY

REMARKS:

* N 23

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,431

WATER RIGHT NUMBER 4001-W-076732-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: DECEMBER 15, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT, BLK, QTR, SEC, TWP, RGE, COUNTY ----- MEANS -----
01 SENWSE 16 26N 39E VALLEY PIT

RESERVOIR:

----- QTR, SEC, TWP, RGE, COUNTY -----
01 ONSTREAM SENWSE 16 26N 39E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT, BLK, QTR, SEC, TWP, RGE, COUNTY -----
001 SENWSE 16 26N 39E VALLEY

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

* A 24

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,432

WATER RIGHT NUMBER 400-W-076732-00 (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.
W076731-00, W076732-00.

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.

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, LAW HELP, QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (MONTANA ONLY) OR 1-406-546-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,433

WATER RIGHT NUMBER: 400-W-076733-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 18, 1965
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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		SWSWNE	16	26N	39E	VALLEY		DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		DNSTREAM	SWSWNE	16	26N	39E	VALLEY

RESERVOIR/LAKE NAME: ARCHAMBEAULT RETENTION RESERVOIR
CAPACITY: 60.0 AC-EI DAM HEIGHT: 9.0 EI SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE NENESW SEC 16 TWP 26N RGE 39E
VALLEY COUNTY.

PLF' E OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001		NWSE	16	26N	39E	VALLEY		

REMARKS:

* C 24

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,434

WATER RIGHT NUMBER 400-W-076733-00 (CONTINUED)

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076733-00, W076734-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59721-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,435

WATER RIGHT NUMBER: 400-W-076734-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 18, 1965
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 3.60 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 SWSWNE 16 26N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSWNE 16 26N 39E VALLEY

RESERVOIR/LAKE NAME: ARCHAMBEAULT RETENTION RESERVOIR
CAPACITY: 60.0 AC-FT DAM HEIGHT: 9.5 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE NENESW SEC 16 TWP 26N RGE 39E
VALLEY COUNTY.

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSE 16 26N 39E VALLEY

REMARKS:

* E 24

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,436

WATER RIGHT NUMBER 4001-W-076734-003 (CONTINUED)

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 DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076733-00, W076734-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x *****

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,437

WATER RIGHT NUMBER 400-W-076735-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36000
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 18, 1956
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 2.80 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 SWNE 16 26N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC. TWP RGE COUNTY
01 ONSTREAM SWNE 16 26N 39E VALLEY

EXISTENCE AND LOCATION OF THE CLAIMED RESERVOIR CANNOT
BE CONFIRMED WITH AVAILABLE DATA.

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC. TWP RGE COUNTY
001 SWNE 16 26N 39E VALLEY

REDBBS:

* G 24

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,439

WATER RIGHT NUMBER: 400-U-076736-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 18, 1956
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LDI_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY ----- MEGUS -----
01 SWNE 16 26N 39E VALLEY DAM

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----
01 ONSTREAM SWNE 16 26N 39E VALLEY

EXISTENCE AND LOCATION OF THE CLAIMED RESERVOIR CANNOT
BE CONFIRMED WITH AVAILABLE DATA.

PLACE OF USE FOR STOCK:

----- ACRES ----- LDI_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY -----
001 SWNE 16 26N 39E VALLEY

REMARKS:

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PAGE 2,440

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-V-076736-00 (CONTINUED)

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076735-00, W076736-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN AT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,441

WATER RIGHT NUMBER 4001-W-076737-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JUNE 30, 1970
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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					NENENW	17 26N	39E	VALLEY	PIT

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
01					DNSTREAM	NENENW	17 26N 39E	VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001						NENENW	17 26N	39E VALLEY

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 4005-W-076737-002 (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.
W076737-00, W076738-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA DAILY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,443

WATER RIGHT NUMBER 400-W-076730-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JUNE 30, 1970
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 2.60 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 NENENW 17 26N 39E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM NENENW 17 26N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 NENENW 17 26N 39E VALLEY

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

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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PAGE 2,444

WATER RIGHT NUMBER 400-W-076738-00 (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.
W076737-00, W076738-00.

* 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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 294 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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
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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 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,445

WATER RIGHT NUMBER: 4002-W-076739-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 13, 1966
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: .62 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 NWNEW 18 26N 39E VALLEY PIT

RESERVOIR:

QTR_SEC_SEC_TWP_RGE_COUNTY
01 ONSTREAM NWNEW 18 26N 39E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY
001 NWNEW 18 26N 39E VALLEY

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

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,446

WATER RIGHT NUMBER 400-W-076739-00 (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.
W076739-00, W076740-00.

* 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
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OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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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 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,447

WATER RIGHT NUMBER 400 W-076740-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 13, 1966
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: 2.98 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 NWNESE 18 26N 39E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DOWNSTREAM NWNESE 18 26N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 NWNESE 18 26N 39E VALLEY

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

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,449

WATER RIGHT NUMBER 400-W-076741-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

- * PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED
- * FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .40 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		NWSE	NW	26	N	39E	VALLEY	PIT

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		DN	SE	NW	26	N	39E VALLEY
02		DN	SE	NW	26	N	39E VALLEY

- * PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			NWSE	NW	26	N	39E VALLEY	

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

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,450

WATER RIGHT NUMBER 400-W-076741-00 (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.
W076741-00, W076742-00.

* 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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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,451

WATER RIGHT NUMBER 400-V-076742-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY DEANS -----

01 NWSEW 19 26N 39E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM NWSEW 19 26N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 NWSEW 19 26N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,453

WATER RIGHT NUMBER 4005-V-076743-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 04, 1968
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: .40 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 SENE 20 26N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SENE 20 26N 39E VALLEY

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SENE 20 26N 39E VALLEY

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

* H 25

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,454

WATER RIGHT NUMBER 400 - W-076743-00 (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.
W076743-00, W076744-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,455

WATER RIGHT NUMBER 14003-W-076744-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 04, 1968
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: .76 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 SENE 20 26N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SENE 20 26N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SENE 20 26N 39E VALLEY

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

* J 25

PRELIMINARY DECREE
 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
 BASIN 400
 ABSTRACT OF WATER RIGHT CLAIM

03/31/95
 PAGE 2,457

WATER RIGHT NUMBER 400-W-076745-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
 PO BOX 36800
 BILLINGS MT 59107

PURPOSE (USE): IRRIGATION
 TYPE OF IRRIGATION SYSTEM: WATER SPREADING

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
 SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 02, 1953
 TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 2,343.00 AF
 CLIMATIC AREA: 2

MAXIMUM ACRES: 1,562.00

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			SENW	16	26N	39E		VALLEY	DIVERSION DAM
02			SWSW	21	26N	39E		VALLEY	DIVERSION DAM
03			NESWN	29	26N	39E		VALLEY	DIVERSION DAM

* PLACE OF USE FOR IRRIGATION:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001	38.00			E2E2	08	26N	39E	VALLEY	
002	365.00				09	26N	39E	VALLEY	
003	10.00			W2NWSW	10	26N	39E	VALLEY	
004	245.78				16	26N	39E	VALLEY	
005	446.31				17	26N	39E	VALLEY	
006	395.00				20	26N	39E	VALLEY	
007	24.00			SWSW	21	26N	39E	VALLEY	
008	2.50			W2NWSW	28	26N	39E	VALLEY	
009	25.91				29	26N	39E	VALLEY	
TOTAL	1,562.00								

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,458

WATER RIGHT NUMBER 400g-W-076745-00g (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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,459

WATER RIGHT NUMBER 400-U-076746-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 95-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

RIGHT DATE: NOVEMBER 07, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 9.40 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 SWW 29 26N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWW 29 26N 39E VALLEY

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWW 29 26N 39E VALLEY

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

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,460

WATER RIGHT NUMBER 400-W-076746-00 (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.
W076746-00, W076747-00.

: 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. :
: :
: :
: :
: :
: THERE IS A QUESTION AS TO THE VALIDITY OF THIS :
: CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE :
: AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE :
: MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE :
: THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION :
: RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND :
: WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." :
: :
: :

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,461

WATER RIGHT NUMBER 400 W-076747-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36000
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 07, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY BEANS
01 SUNW 29 26N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SUNW 29 26N 39E VALLEY

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SUNW 29 26N 39E VALLEY

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

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,462

WATER RIGHT NUMBER 400-V-076747-00 (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.
W076746-00, W076747-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,463

WATER RIGHT NUMBER: 400-V-076748-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 04, 1968
TYPE OF HISTORICAL RIGHT: FILED

ELW BASE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .40 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 NENWNW 29 26N 39E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM NENWNW 29 26N 39E VALLEY

THE PIT EXTENDS INTO THE SESWSW SEC 20 TWP 26N RGE 39E
VALLEY COUNTY.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESWSW 20 26N 39E VALLEY
002 NENWNW 29 26N 39E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,464

WATER RIGHT NUMBER 400-V-076748-00 (CONTINUED)

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076748-00, W076749-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,485

WATER RIGHT NUMBER 400 - W-076749-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 26800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 04, 1968
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: .76 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 NENNW 29 26N 39E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM NENNW 29 26N 39E VALLEY

THE PIT EXTENDS INTO THE SESWSW SEC 20 TWP 26N RGE 39E
VALLEY COUNTY.

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SESWSW 20 26N 39E VALLEY
002 NENNW 29 26N 39E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,466

WATER RIGHT NUMBER 400-V-076749-00 (CONTINUED)

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076748-00, W076749-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x x x x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x x x x x x

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 979, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,467

WATER RIGHT NUMBER 400-V-076750-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO 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 OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 26, 1945
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 3.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC IWP RGE COUNTY MEANS

01 SWNE 29 26N 39E VALLEY DAN

RESERVOIR:

QTR SEC SEC IWP RGE COUNTY

01 ONSTREAM SWNE 29 26N 39E VALLEY

RESERVOIR/LAKE NAME: WILLOW CREEK FLAT RESERVOIR

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC IWP RGE COUNTY

001 SWNE 29 26N 39E VALLEY

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

* G 26

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,468

WATER RIGHT NUMBER 400-W-076750-00 (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. W076750-00, W076751-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X *****

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,469

WATER RIGHT NUMBER: 400-V-076751-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 65-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 26, 1945
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY DEANS -----
01 SWNE 29 26N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWNE 29 26N 39E VALLEY

RESERVOIR/LAKE NAME: WILLOW CREEK FLAT RESERVOIR

PLACE OF USE FOR STOCK:

----- ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWNE 29 26N 39E VALLEY

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

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,470

WATER RIGHT NUMBER 400-V-076751-00 (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.
W076750-00, W076751-00.

: 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
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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

03/31/95
PAGE 2,471

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400 W-076752-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 31, 1972
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 2.60 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 SENW 30 26N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SENW 30 26N 39E VALLEY

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SENW 30 26N 39E VALLEY

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

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,472

WATER RIGHT NUMBER: 400-W-076752-00 (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.
W076752-00, W076754-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X X X X X
X X X X X X X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X X X X X X
X *****

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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
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,473

WATER RIGHT NUMBER 4001-V-076753-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNER: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

PRIORITY DATE: SEPTEMBER 26, 1969
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 14.99 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 NESE 29 26N 39E VALLEY

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 NESE 29 26N 39E VALLEY

REMARKS:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT
ON 06/16/92: POINT OF DIVERSION, PLACE OF USE,
PRIORITY DATE.

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,474

WATER RIGHT NUMBER 400-U-076753-00 (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.
W076753-00, W076755-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x
x x x
x THE POINT OF DIVERSION AND PLACE OF USE LEGAL LAND x
x DESCRIPTION COULD NOT BE REFINED TO A 10 ACRE x
x DESCRIPTION FROM INFORMATION IN THE FILE. x
x x x
x THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS x
x REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED x
x TO SUPPORT THIS CLAIM. x
x x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, 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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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,475

WATER RIGHT NUMBER 400-W-076754-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 31, 1972
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SENW	30	26N	39E	VALLEY		DAM

RESERVOIR:

	DIR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM	SENW	30	26N	39E	VALLEY	

PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY
001				SENW	30	26N	39E	VALLEY	

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

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,476

WATER RIGHT NUMBER: 400 - W-076754-00 (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.
W076752-00, W076754-00.

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
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TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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P.O. BOX 879, BOZEMAN MT 59711-0879.

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PAGE 2,477

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 14001-W-076755-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

PRIORITY DATE: SEPTEMBER 26, 1969
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 14.99 GPM (.03 CFS)

VOLUME: 23.80 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION:

~~LOT BLK QTR SEC SEC TWP RGE COUNTY~~

01 NESE 29 26N 39E VALLEY

PLACE OF USE FOR WILDLIFE:

~~ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY~~

001 NESE 29 26N 39E VALLEY

REMARKS:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 06/16/92: POINT OF DIVERSION, PLACE OF USE, PRIORITY DATE.

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,478

WATER RIGHT NUMBER 400-W-076755-00 (CONTINUED)

REMARKS CONTINUED:

W076753-00, W076755-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x THE POINT OF DIVERSION AND PLACE OF USE LEGAL LAND x
x DESCRIPTION COULD NOT BE REFINED TO A 10 ACRE x
x DESCRIPTION FROM INFORMATION IN THE FILE. x
x x
x THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS x
x REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED x
x TO SUPPORT THIS CLAIM. x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x VOLUME MAY BE EXCESSIVE. BASED ON THE FLOW RATE AND x
x PERIOD OF USE, THE SYSTEM WOULD HAVE TO RUN 23.6 x
x HOURS PER DAY TO DELIVER THE CLAIMED VOLUME. NO x
x INFORMATION EXISTS IN THE CLAIM FILE TO CONFIRM THIS x
x FIGURE. x
x x
x *****

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 873, BOZEMAN MT 59711-0873.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,479

WATER RIGHT NUMBER 14003-U-076756-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 30, 1970
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 2.60 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 SWSESW 30 26N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM SWSESW 30 26N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSESW 30 26N 39E VALLEY

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 400-V-076756-00 (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.
W076756-00, W076757-00.

* 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. *
* * * * *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-9270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,481

WATER RIGHT NUMBER 4001-W-076757-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JUNE 30, 1970
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LDI	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01									

RESERVOIR:

	DIR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM					

* PLACE OF USE FOR STOCK:

	ACRES	LDI	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY
001									

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

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER 4003-U-076757-00 (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.
W076756-00, W076757-00.

: 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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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P. O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 4400-V-076758-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGED FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: .40 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 NESWSW 32 26N 39E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESWSW 32 26N 39E VALLEY
RESERVOIR/LAKE NAME: AGNES RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESWSW 32 26N 39E VALLEY

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,484

WATER RIGHT NUMBER 4003-V-076758-003 (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.
W076758-00, W076759-00.

: 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
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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P. O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 400-V-076759-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: 1.60 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		NESWSW	32	26N	39E	VALLEY		PIT

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		DNSTREAM	NESWSW	32	26N	39E	VALLEY

RESERVOIR/LAKE NAME: AGNES RESERVOIR

* PLACE OF USE FOR WILDLIFE:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001		NESWSW	32	26N	39E	VALLEY	

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 400-V-076760-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY. UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800 MT 59107
BILLINGS

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 20, 1961
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .62 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		NWS	17	26N	40E	VALLEY		DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		DWSTREAM		NWS	17	26N	40E VALLEY

PLACE OF USE FOR STOCKS:

BLKES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				NWS	17	26N	40E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,488

WATER RIGHT NUMBER 4001-W-076760-00 (CONTINUED)

REMARKS CONTINUED :

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076760-00, W076761-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P - O - BOX 879, BOZEMAN AT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER: 400 - W-076761-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MUD CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 20, 1961
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 1.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY DEANS -----

01 NWS 17 26N 40E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DOWNSTREAM NWS 17 26N 40E VALLEY

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 NWS 17 26N 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,490

WATER RIGHT NUMBER 400-W-076761-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076760-00, W076761-00.

1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
3 UNRESOLVED IF NO OBJECTIONS ARE FILED. x
4 x
5 x
6 x

7 THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
8 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
9 AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
10 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
11 THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION x
12 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
13 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
14 x
15 x

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 679, BOZEMAN, MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,491

WATER RIGHT NUMBER 4003-W-076762-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 19, 1942
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 10.61 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 SENW 02 27N 35E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENW 02 27N 35E VALLEY

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENW 02 27N 35E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400X-W-076763-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY," UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 19, 1942
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LDT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 SENW 02 27N 35E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SENW 02 27N 35E VALLEY

PLACE OF USE FOR STOCK:

----- ACRES ----- LDT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SENW 02 27N 35E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,494

WATER RIGHT NUMBER 400-V-076763-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076762-00, W076763-00.

* 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
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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
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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
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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 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,495

WATER RIGHT NUMBER 4003-W-076764-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 21, 1954
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 3.60 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 NESESW 10 27N 35E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NESESW 10 27N 35E VALLEY

RESERVOIR/LAKE NAME: SOMERS RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NESESW 10 27N 35E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* E 28

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/55
PAGE 2,496

WATER RIGHT NUMBER 4001-W-076764-002 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076764-00, W076765-00.

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

X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X X

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
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1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,497

WATER RIGHT NUMBER 400-W-076765-00

IMPORTANT NOTICE

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OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 21, 1954
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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 NESESW 10 27N 35E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM NESESW 10 27N 35E VALLEY

RESERVOIR/LAKE NAME: SOMERS RESERVOIR

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 NESESW 10 27N 35E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,498

WATER RIGHT NUMBER 400-W-076765-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076764-00, W076765-00.

: 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
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,499

WATER RIGHT NUMBER 400-W-076766-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1948
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 5.60 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 NENWNE 15 27N 35E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM NENWNE 15 27N 35E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SESWSE 10 27N 35E VALLEY
002 NENWNE 15 27N 35E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITewater CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,501

WATER RIGHT NUMBER 400-W-076767-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1948
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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									

RESERVOIR:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM								

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001									
002									

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN "00"
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,502

WATER RIGHT NUMBER 400-W-0767-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076766-00, W076767-00.

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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P.O. BOX 879, BOZEMAN MT 59771-0879.

WATER RIGHT NO.

WATER RIGHT NO.

WATER RIGHT NO.

076561	A 01	076586	J 04	076613	D 08
076561	B 01	076587	K 04	076614	E 08
076562	C 01	076587	L 04	076614	F 08
076562	D 01	076588	M 04	076615	G 08
076563	E 01	076588	N 04	076615	H 08
076563	F 01	076589	O 04	076616	I 08
076594	G 01	076589	A 05	076616	J 08
076564	H 01	076590	B 05	076617	K 08
076565	I 01	076590	C 05	076617	L 08
076565	J 01	076591	D 05	076618	M 08
076566	K 01	076591	E 05	076618	N 08
076566	L 01	076592	F 05	076619	O 08
076567	M 01	076592	G 05	076619	A 09
076567	N 01	076593	H 05	076620	B 09
076568	O 01	076593	I 05	076620	C 09
076568	A 02	076594	J 05	076621	D 09
076569	B 02	076594	K 05	076621	E 09
076569	C 02	076595	L 05	076622	F 09
076570	D 02	076595	M 05	076622	G 09
076570	E 02	076596	N 05	076623	H 09
076571	F 02	076596	O 05	076623	I 09
076571	G 02	076597	A 06	076624	J 09
076572	H 02	076597	B 06	076624	K 09
076572	I 02	076598	C 06	076625	L 09
076573	J 02	076598	D 06	076625	M 09
076573	K 02	076599	E 06	076626	N 09
076574	L 02	076599	F 06	076626	O 09
076574	M 02	076600	G 06	076627	A 10
076575	N 02	076600	H 06	076627	B 10
076575	O 02	076601	I 06	076628	C 10
076576	A 03	076601	J 06	076628	D 10
076576	B 03	076602	K 06	076629	E 10
076577	C 03	076602	L 06	076629	F 10
076577	D 03	076603	M 06	076630	G 10
076578	E 03	076603	N 06	076630	H 10
076578	F 03	076604	O 06	076631	I 10
076579	G 03	076604	A 07	076631	J 10
076579	H 03	076605	B 07	076632	K 10
076579	I 03	076605	C 07	076632	L 10
076579	J 03	076606	D 07	076633	M 10
076580	K 03	076606	E 07	076633	N 10
076580	L 03	076607	F 07	076634	O 10
076580	M 03	076607	G 07	076634	A 11
076581	N 03	076608	H 07	076635	B 11
076581	O 03	076608	I 07	076635	C 11
076582	A 04	076609	J 07	076636	D 11
076582	B 04	076609	K 07	076636	E 11
076583	C 04	076610	L 07	076637	F 11
076583	D 04	076610	M 07	076637	G 11
076584	E 04	076611	N 07	076638	H 11
076584	F 04	076611	O 07	076638	I 11
076585	G 04	076612	A 08	076639	J 11
076585	H 04	076612	B 08	076639	K 11
076586	I 04	076613	C 08	076640	L 11

JSEQ=0006 BSEQ=0006 J5706021

WATER RIGHT NO.

WATER RIGHT NO.

WATER RIGHT NO.

076640	M 11	076667	G 15	076694	A 19
076641	N 11	076668	H 15	076695	B 19
076641	O 11	076668	I 15	076695	C 19
076642	A 12	076669	J 15	076696	D 19
076642	B 12	076669	K 15	076696	E 19
076643	C 12	076670	L 15	076697	F 19
076643	D 12	076670	M 15	076697	G 19
076644	E 12	076671	N 15	076698	H 19
076644	F 12	076671	O 15	076698	I 19
076645	G 12	076672	A 16	076699	J 19
076645	H 12	076672	B 16	076699	K 19
076646	I 12	076673	C 16	076700	L 19
076646	J 12	076673	D 16	076700	M 19
076647	K 12	076674	E 16	076701	N 19
076647	L 12	076674	F 16	076701	O 19
076648	M 12	076675	G 16	076702	A 20
076648	N 12	076675	H 16	076702	B 20
076649	O 12	076676	I 16	076703	C 20
076649	A 13	076676	J 16	076703	D 20
076650	B 13	076677	K 16	076704	E 20
076650	C 13	076677	L 16	076704	F 20
076651	D 13	076678	M 16	076705	G 20
076651	E 13	076678	N 16	076705	H 20
076652	F 13	076679	O 16	076706	I 20
076652	G 13	076679	A 17	076706	J 20
076653	H 13	076680	B 17	076707	K 20
076653	I 13	076680	C 17	076707	L 20
076654	J 13	076681	D 17	076708	M 20
076654	K 13	076681	E 17	076708	N 20
076655	L 13	076682	F 17	076709	O 20
076655	M 13	076682	G 17	076709	A 21
076656	N 13	076683	H 17	076710	B 21
076656	O 13	076683	I 17	076710	C 21
076657	A 14	076684	J 17	076711	D 21
076657	B 14	076684	K 17	076711	E 21
076658	C 14	076685	L 17	076712	F 21
076658	D 14	076685	M 17	076712	G 21
076659	E 14	076686	N 17	076713	H 21
076659	F 14	076686	O 17	076713	I 21
076660	G 14	076687	A 18	076714	J 21
076660	H 14	076687	B 18	076714	K 21
076661	I 14	076688	C 18	076715	L 21
076661	J 14	076688	D 18	076715	M 21
076662	K 14	076689	E 18	076716	N 21
076662	L 14	076689	F 18	076716	O 21
076663	M 14	076690	G 18	076717	A 22
076663	N 14	076690	H 18	076717	B 22
076664	O 14	076691	I 18	076718	C 22
076664	A 15	076691	J 18	076718	D 22
076665	B 15	076692	K 18	076719	E 22
076665	C 15	076692	L 18	076719	F 22
076666	D 15	076693	M 18	076720	G 22
076666	E 15	076693	N 18	076720	H 22
076667	F 15	076694	O 18	076721	I 22

JSEQ=0006 BSEQ=0006 J5706021

WATER RIGHT NO.

WATER RIGHT NO.

WATER RIGHT NO.

076721	J 22	076748	D 26
076722	K 22	076749	E 26
076722	L 22	076749	F 26
076723	M 22	076750	G 26
076723	N 22	076750	H 26
076724	O 22	076751	I 26
076724	A 23	076751	J 26
076725	B 23	076752	K 26
076725	C 23	076752	L 26
076726	D 23	076753	M 26
076726	E 23	076753	N 26
076727	F 23	076754	O 26
076727	G 23	076754	A 27
076728	H 23	076755	B 27
076728	I 23	076755	C 27
076729	J 23	076756	D 27
076729	K 23	076756	E 27
076730	L 23	076757	F 27
076730	M 23	076757	G 27
076731	N 23	076758	H 27
076731	O 23	076758	I 27
076732	A 24	076759	J 27
076732	B 24	076759	K 27
076733	C 24	076760	L 27
076733	D 24	076760	M 27
076734	E 24	076761	N 27
076734	F 24	076761	O 27
076735	G 24	076762	A 28
076735	H 24	076762	B 28
076736	I 24	076763	C 28
076736	J 24	076763	D 28
076737	K 24	076764	E 28
076737	L 24	076764	F 28
076738	M 24	076765	G 28
076738	N 24	076765	H 28
076739	O 24	076766	I 28
076739	A 25	076766	J 28
076740	B 25	076767	K 28
076740	C 25	076767	L 28
076741	D 25		
076741	E 25		
076742	F 25		
076742	G 25		
076743	H 25		
076743	I 25		
076744	J 25		
076744	K 25		
076745	L 25		
076745	M 25		
076746	N 25		
076746	O 25		
076747	A 26		
076747	B 26		
076748	C 26		

JSEQ=0006 BSEQ=0006 J5706021

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,503

WATER RIGHTS NUMBER 400-M-076768-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36300
BILLINGS MT 59107

PURPOSE USE: STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 23, 1967
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION/LAND MEANS OF DIVERSION:

----- LOT, BLK, QIB, SEC, SEC, TWP, RGE, COUNTY ----- BEANS

01 NESWNW 11 27N 35E VALLEY PIT

RESERVOIR:

----- QIB, SEC, SEC, TWP, RGE, COUNTY -----

01 DOWSTREAM NESWNW 11 27N 35E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT, BLK, QIB, SEC, SEC, TWP, RGE, COUNTY -----

001 NESWNW 11 27N 35E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* A 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK

03/31/55
PAGE 2,504

BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076768-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076768-00, W076769-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-524-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

* B 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,506

WATER RIGHT NUMBER 4002-W-076769-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN QUESTION BY THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA COEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 23, 1967
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 1.60 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		NES	WNW	11	27N	35E	VALLEY	PIT

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		DNSTREAM		NES	WNW	11	27N 35E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				NES	WNW	11	27N 35E VALLEY	

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

* C 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,507

WATER RIGHT NUMBER: 400-W-076770-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 05, 1938
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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 N2SENE 12 27N 35E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM N2SENE 12 27N 35E VALLEY

RESERVOIR/LAKE NAME: BADGER RESERVOIR
CAPACITY: 217.0 AC-FT DAM HEIGHT: 17 FT SURFACE AREA: ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NE 12 27N 35E VALLEY

REMARKS:

* E 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,508

WATER RIGHT NUMBER 4001-W-076770-002 (CONTINUED)

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076770-00, W076771-00, W076772-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THE PRIORITY DATE IS QUESTIONABLE. THE VALLEY COUNTY x
x WATER RESOURCES SURVEY (1958) IDENTIFIES THE PRIORITY x
x DATE AS 1968. x
x x
x x

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

* F 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,509

WATER RIGHT NUMBER 400-4-076771-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 05, 1938
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 217.00 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 N2SENE 12 27N 35E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM N2SENE 12 27N 35E VALLEY

RESERVOIR/LAKE NAME: BADGER RESERVOIR
CAPACITY: 217.0 AC-FT DAM HEIGHT: 17 FT SURFACE AREA: ----- ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR FLOOD CONTROL:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 NE 12 27N 35E VALLEY

REMARKS:

* G 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,510

WATER RIGHT NUMBER 400-W-076771-00 (CONTINUED)

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076770-00, W076771-00, W076772-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THE PRIORITY DATE IS QUESTIONABLE. THE MONTANA WATER *
* RESOURCES BOARD DAM INVENTORY WORKSHEET IDENTIFIES THE *
* PRIORITY DATE AS 1958. *
* * * * *
* THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL *
* USE OF WATER EXISTING PRIOR TO JULY 1, 1973. *
* * * * *
* THE USE OF THIS WATER APPEARS TO BE LARGELY *
* NONCONSUMPTIVE. *
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

* H 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,511

WATER_RIGHT_NUMBER: 400-W-076772-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 05, 1938
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 12.60 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 N2SENE 12 27N 35E VALLEY DAM

RESERVOIR:

----- QTR, SEC, SEC, TWP, RGE, COUNTY -----

01 ONSTREAM N2SENE 12 27N 35E VALLEY

RESERVOIR/LAKE NAME: BADGER RESERVOIR
CAPACITY: 217,000 AC-FT DAM HEIGHT: 17 FT SURFACE AREA: 100 ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT, BLK, QTR, SEC, SEC, TWP, RGE, COUNTY -----

001 NE 12 27N 35E VALLEY

REMARKS:

* I 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,512

WATER RIGHT NUMBER: 400g-Y-076772-00g (CONTINUED)

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076770-00, W076771-00, W076772-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x x x x x
x THE PRIORITY DATE IS QUESTIONABLE. THE MONTANA WATER x
x RESOURCES BOARD DRAINVENTORY WORKSHEET IDENTIFIES THE x
x PRIORITY DATE AS 1958. x
x x x x x x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE DEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x x x x x x

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-536-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITewater CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,513

WATER RIGHT NUMBER 4002-W-076773-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: MARCH 12, 1958
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: .40 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 NESWSW 12 27N 35E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM NESWSW 12 27N 35E VALLEY

RESERVOIR/LAKE NAME: MAKE DETENTION RESERVOIR
CAPACITY: 55.6 AC-FT DAM HEIGHT: 20 FT SURFACE AREA: ----- ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE EOB STOCK:

--- ACRES --- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NESWSW 12 27N 35E VALLEY

REMARKS:

* K 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,514

WATER RIGHT NUMBER 400-U-076773-00 (CONTINUED)

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076773-00, W076774-00, W076775-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

* L 01

03/31/95
PAGE 2,515

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 4002-V-076774-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

- * SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER
- * PRIORITY DATE: MARCH 12, 1958
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: 42.96 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 NESWSW 12 27N 35E VALLEY DAM

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----
01 DOWNSTREAM NESWSW 12 27N 35E VALLEY

RESERVOIR/LAKE NAME: MAKEE DETENTION RESERVOIR
CAPACITY: 55.6 AC-FT DAM HEIGHT: 20 FT SURFACE AREA: ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

- * PLACE OF USE FOR FLOOD CONTROL:

----- ACRES ----- LOT_BLK QTR_SEC_SEC_TWP_RGE_COUNTY -----
001 NESWSW 12 27N 35E VALLEY

REMARKS:

* M O I

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,516

WATER RIGHT NUMBER: 400-V-076774-00 (CONTINUED)

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076773-00, W076774-00, W076775-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THIS CLAIMED PURPOSE IS QUESTIONED : O A BENEFICIAL *
* USE OF WATER EXISTING PRIOR TO JULY 1, 1973. *
* * * * *
* THE USE OF THIS WATER APPEARS TO BE LARGELY *
* NON-CONSUMPTIVE. *
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4264, OR BY WRITING TO P.O. BOX 879, SOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,517

WATER RIGHT NUMBER 400 W-076775-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY" UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: MARCH 12, 1958
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: 12.68 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVISION:

----- LOT_BLK_QIB_SEC_SEC_TWP_RGE_COUNTY ----- MEANS -----
01 NESWSW 12 27N 35E VALLEY DAM

RESERVOIR:

----- QIB_SEC_SEC_TWP_RGE_COUNTY -----
01 ONSTREAM NESWSW 12 27N 35E VALLEY

RESERVOIR LAKE NAME: MAKEE DETENTION RESERVOIR
CAPACITY: 55.6 AC-FT DAM HEIGHT: 20 FT SURFACE AREA: ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT_BLK_QIB_SEC_SEC_TWP_RGE_COUNTY -----
001 NESWSW 12 27N 35E VALLEY

REMARKS:

* 0 0 1

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,518

WATER RIGHT NUMBER: 400-11-076775-00 (CONTINUED)

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076773-00, W076774-00, W076775-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x x
x x x x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x x x

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

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03/31/95
PAGE 2,519

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 4002-V-076776-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 25, 1967
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 1.60 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			SE	NE	22	27N	35E	VALLEY	PIT

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
01			DN	ST	22	27N	35E	VALLEY

RESERVOIR/LAKE NAME: SPOTPIN RETENTION RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
001						22	27N	35E	VALLEY

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,520

WATER RIGHT NUMBER: 400-W-076776-00 (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. W076776-00, W076777-00.

* 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. *
* * * * *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1975, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,521

WATER RIGHT NUMBER: 400-4-076777-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 25, 1967
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK	DIR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SE	NE	22	27N	35E VALLEY	PIT

RESERVOIR:

DIR	SEC	SEC	TWP	RGE	COUNTY
01	DNSTREAM		SE	NE	22 27N 35E VALLEY

RESERVOIR/LAKE NAME: SPDTPIN RETENTION RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY
001			SE	NE	22	27N	35E	VALLEY

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,522

WATER₃RIGHT₃NUMBER₃400₃-V-076777-00₃(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.
W076776-00, W076777-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P. O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEMATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,523

WATER RIGHT NUMBER: 4001-4-076778-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY" UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE. THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 03, 1952
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 9.61 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 W2NWSE 24 27N 35E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM W2NWSE 24 27N 35E VALLEY

RESERVOIR/LAKE NAME: NW BURNETT DETENTION RESERVOIR
CAPACITY: 110.0 AC-FT DAM HEIGHT: 10 FT SURFACE AREA: 50.00 ACRES

THE DAM EXTENDS INTO THE SENESW SEC 24 TWP 27N RGE 35E
VALLEY COUNTY.

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

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 W2NWSE 24 27N 35E VALLEY
002 NE 24 27N 35E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,524

WATER RIGHT NUMBER 400 W-076778-00 (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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076778-00, W076779-00, W076780-00.

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

* THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE *
* FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING *
* PLACES OF USE. W076778-00, W076779-00, W076780-00, *
* W170672-00. *
* * * * *

* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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

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

* SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF *
* YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE *
* DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF *
* AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT *
* PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING *
* 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO *
* P. O. BOX 879, BOZEMAN MT 59771-0879. *
* * * * *

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,525

WATER RIGHT NUMBER: 400-076779-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* SOURCE: LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 03, 1952
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 100.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 W2N5E 24 27N 35E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM W2N5E 24 27N 35E VALLEY

RESERVOIR/LAKE NAME: MW BURNETT DETENTION RESERVOIR
CAPACITY: 110.0 AC-FT DAM HEIGHT: 10 FT SURFACE AREA: 50.00 ACRES

THE DAM EXTENDS INTO THE SENESW SEC 24 TWP 27N RGE 35E
VALLEY COUNTY.

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

* PLACE OF USE FOR FLOOD CONTROL:

ACRES LOI BLK QTR SEC SEC TWP RGE COUNTY
001 W2N5E 24 27N 35E VALLEY
002 NEW 24 H 0 E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN #06
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,526

WATER RIGHT NUMBER 400-W-076779-00 (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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076778-00, W076779-00, W076780-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X
X THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE X
X FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING X
X PLACES OF USE. W076778-00, W076779-00, W076780-00, X
X W170672-00. X
X X
X THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL X
X USE OF WATER EXISTING PRIOR TO JULY 1, 1873. X
X X
X THE USE OF THIS WATER APPEARS TO BE LARGELY X
X NON-CONSUMPTIVE. X
X X
X *****

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,527

WATER_RIGHT_NUMBER: 400; W-076780-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 03, 1952
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .39 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 W2NWSE 24 27N 35E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM W2NWSE 24 27N 35E VALLEY

RESERVOIR/LAKE NAME: MW BURNETT DETENTION RESERVOIR
CAPACITY: 110.0 AC-FT DAM HEIGHT: 10 FT SURFACE AREA: 50.00 ACRES

THE DAM EXTENDS INTO THE SESEW SEC 24 TWP 27N RGE 35E
VALLEY COUNTY.

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

* PLACE OF USE EDB STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 W2NWSE 24 27N 35E VALLEY
002 ME 24 J 27N 35E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,529

WATER RIGHT NUMBER: 400-W-076780-00 (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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076778-00, W076779-00, W076780-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE *
* FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING *
* PLACES OF USE. W076778-00, W076779-00, W076780-00, *
* W170672-00. *
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

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03/31/95
PAGE 2,529

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 4002-W-076781-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): IRRIGATION
TYPE OF IRRIGATION SYSTEM: WATER SPREADING

* **SOURCE:** LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

POINT OF DIVERSION NO. 2 IS ON AN UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK.

PRIORITY DATE: DECEMBER 11, 1964
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 1,815.00 AF
CLIMATIC AREA: 2

MAXIMUM COSTS: 1,210.00

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* **POINT OF DIVERSION AND MEANS OF DIVERSION:**

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEMOS
01			WN	27	35E	27N	35E	VALLEY	DIVERSION DAM
02			WN	24	35E	27N	35E	VALLEY	DIVERSION DAM

DIVERSION DAM NO. 1 EXTENDS INTO NESE SEC 26 TWP 27N RGE 35E VALLEY COUNTY
DIVERSION DAM NO. 2 EXTENDS INTO SESE SEC 24 TWP 27N RGE 35E VALLEY COUNTY.

* **PLACE DE USE FOR IRRIGATION:**

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001	110.00			SE	24	27N	35E	VALLEY	
002	380.00				25	27N	35E	VALLEY	
003	165.00			*	19	27N	35E	VALLEY	

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,530

WATER RIGHT NUMBER 400g-V-0767B1-00g (CONTINUED)

PLACE OF USE CONTINUED:

004	150.00	N2	29	27N	36E	URALLEY
005	905.00		30	27N	36E	URALLEY
TOTAL	1,210.00					

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THE CLAIM APPEARS TO BE CLAIMING TWO SEPARATE x
x SOURCES OF WATER. MORE THAN ONE WATER RIGHT MAY BE x
x INVOLVED. x
x x

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,531

WATER RIGHT NUMBER 4002-W-076782-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 20, 1952
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 200.00 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 W2NWSW 25 27N 35E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM W2NWSW 25 27N 35E VALLEY

RESERVOIR/LAKE NAME: SW BURNETT DETENTION RESERVOIR
CAPACITY: 148.8 AC-EI DAM HEIGHT: 10.51 SURFACE AREA: 24.80 ACRES

THE DAM EXTENDS INTO THE NESESE SEC 26 TWP 27N RGE 35E
VALLEY COUNTY.

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 FLOOD CONTROL:

* N 02

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,532

WATER RIGHT NUMBER 400-W-076782-00 (CONTINUED)

PLACE OF USE CONTINUED:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 E2SE 26 27N 35E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076782-00, W076783-00, W076784-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x x
x THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL x
x USE OF WATER EXISTING PRIOR TO JULY 1, 1973. x
x x x x
x THE USE OF THIS WATER APPEARS TO BE LARGELY x
x NON-CONSUMPTIVE. x
x x x x

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

* 0 02

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,533

WATER RIGHT NUMBER 4003-W-076783-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BCM 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 20, 1952
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 13.31 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 W2NWSW 25 27N 35E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM W2NWSW 25 27N 35E VALLEY

RESERVOIR/LAKE NAME: SW BURNETT DETENTION RESERVOIR
CAPACITY: 148.8 AC-FT DAM HEIGHT: 10 FT SURFACE AREA: 24.80 ACRES

THE DAM EXTENDS INTO THE NESESE SEC 26 TWP 27N RGE 35E
VALLEY COUNTY.

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 DE USE FOR WILDLIFE:

* A 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,536

WATER RIGHT NUMBER: 400-W-076784-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 20, 1952
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .39 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 W2NWSW 25 27N 35E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DOWSTREAM W2NWSW 25 27N 35E VALLEY

RESERVOIR/LAKE NAME: SW BURNETT DETENTION RESERVOIR
CAPACITY: 198.8 AC-FI DAM HEIGHT: FI SURFACE AREA: 24.80 ACRES

THE DAM EXTENDS INTO THE NESESE SEC 26 TWP 27N RGE 35E
VALLEY COUNTY.

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:

* C 03

03/31/95
PAGE 2,536

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076784-00 (CONTINUED)

PLACE OF USE CONTINUED:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			E2SE	26	27N	35E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076782-00, W076783-00, W076784-00.

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

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

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P. O. BOX 879, BOZEMAN MT 59711-0879.

* D 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,537

WATER RIGHT NUMBER 4002-W-076785-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 26, 1952
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 4.61 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			NE	SE	26	27N	35E	VALLEY DAM

RESERVOIR:

LOT	DNSTREAM	QTR	SEC	SEC	TWP	RGE	COUNTY	CAPACITY	ACRES	BEI	DAM HEIGHT	SURFACE AREA	ACRES
01	DNSTREAM		NE	SE	26	27N	35E	VALLEY	11.2	AC	BEI		3.50

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

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SESW 26 27N 35E VALLEY

REMARKS:

* E 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,538

WATER RIGHT NUMBER 400-0-076785-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE 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.
W076785-00, W076786-00, W076787-00.

: THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS :
: EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN :
: UNRESOLVED IF NO OBJECTIONS ARE FILED. :
: :
: :
: THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE :
: FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING :
: PLACES OF USE. W076785-00, W076786-00, W076787-00, :
: W170741-00. :
: :
: THERE IS A QUESTION AS TO THE VALIDITY OF THIS :
: CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE :
: AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE :
: MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE :
: THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION :
: RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND :
: WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." :
: :
: :

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

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,539

WATER RIGHT NUMBER 4002-W-076786-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 26, 1952
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QTR SEC SEC IMP RGE COUNTY MEANS
01 NESEW 26 27N 35E VALLEY DAM

RESERVOIR:

QTR SEC SEC IMP RGE COUNTY
Q1 ONSTREAM NESEW 26 27N 35E VALLEY
CAPACITY: 11,260-EGI DAM HEIGHT: 8-ET SURFACE AREA: 3,50 ACRES

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

PLACE OF USE FOR STOCK:

ACRES LOI BLK QTR SEC SEC IMP RGE COUNTY
001 SESW 26 27N 35E VALLEY

REDBBKS:

* G 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,540

WATER RIGHT NUMBER 400g-W-076786-00g (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE 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.
W076785-00, W076786-00, W076787-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X
X X X
X X X
X THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE X
X FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING X
X PLACES OF USE. W076785-00, W076786-00, W076787-00, X
X W170741-00. X
X X X
X X X

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* H 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,541

WATER RIGHT NUMBER: 400g-W-076787-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

EMBRUSE (USE): FLOOD CONTROL

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 26, 1952
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 10.00 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 -----

U1 MFSESW 26 27N 35E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM MFSESW 26 27N 35E VALLEY
CAPACITY: 11.2 AC-EI DAM HEIGHT: .9 EI SURFACE AREA: 3.50 ACES

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

PLACE OF USE FOR FLOOD CONTROL:

----- ACES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SESW 26 27N 35E VALLEY

REMARKS:

* I 03

03/31/95
PAGE 2,542

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076787-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076785-00, W076786-00, W076787-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE *
* FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING *
* PLACES OF USE. W076785-00, W076786-00, W076787-00, *
* W170741-00. *
* * * * *
* THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL *
* USE OF WATER EXISTING PRIOR TO JULY 1, 1973. *
* * * * *
* THE USE OF THIS WATER APPEARS TO BE LARGELY *
* NON-CONSUMPTIVE. *
* * * * *

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

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

* J 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITewater CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,543

WATER RIGHT NUMBER 4004-W-076788-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 16, 1960
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 2.61 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				NWSWE	28	27N	35E	VALLEY	DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM		NWSWE	28	27N	35E	VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001					NWSWE	28	27N	35E	VALLEY
002					NESEW	28	27N	35E	VALLEY

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,544

WATER RIGHT NUMBER 400-W-076788-00 (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.
W076788-00, W076789-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE *
* FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING *
* PLACES OF USE. W076788-00, W076789-00, W170600-00. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BERN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P. O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING FORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,545

WATER RIGHT NUMBER: 400; W-076789-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 16, 1960
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LDI BLK QTR SEC SEC TWP RGE COUNTY MEANS -----
01 NWSWE 28 27N 35E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NWSWE 28 27N 35E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LDI BLK QTR SEC SEC TWP RGE COUNTY -----
001 NWSWE 28 27N 35E VALLEY
002 NESESW 28 27N 35E VALLEY

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,546

WATER RIGHT NUMBER 400-W-076789-00 (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.
W076788-00, W076789-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X
X THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE X
X FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING X
X PLACES OF USE. W076788-00, W076789-00, W170600-00. X
X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
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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
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,547

WATER RIGHT NUMBER: W-076790-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 4.50 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 SENE 34 27N 35E VALLEY DAM

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----

01 DNSTREAM SENE 34 27N 35E VALLEY

PLACE OF USE FOR WILDLIFE:

----- DCBE'S ----- LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY -----

001 SENE 34 27N 35E VALLEY

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

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03/31/95
PAGE 2,549

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400g-J-076751-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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 SENE 34 27N 35E VALLEY DAM

RESERVOIR:

_____ QTR_SEC_SEC_TWP_RGE_COUNTY _____
01 ONSTREAM SENE 34 27N 35E VALLEY

PLACE OF USE FOR STOCK:

_____ ACRES _____ LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY _____
001 SENE 34 27N 35E VALLEY

REMARKS:

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RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03-31-95
PAGE 2,550

WATER₂RIGHT₂NUMBER₂400₂-W-076791-00₂(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.
M076790-00, M076791-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X X X X X
X X X X X X X X
X USRA AERIAL PHOTOGRAPH NO. 179-190, DATED 08/17/79, X
X SHOWS NO EVIDENCE OF A RESERVOIR AT THE CLAIMED PLACE X
X OF USE. X
X X X X X X X X
X CLAIMED PURPOSE OF USE COULD NOT BE IDENTIFIED DUE TO X
X LACK OF DATA. X
X X X X X X X X
X EXISTENCE OF THE CLAIMED RESERVOIR CANNOT BE X
X CONFIRMED WITH AVAILABLE DATA. SEE CLAIM FILE FOR X
X ADDITIONAL INFORMATION. X
X X X X X X X X

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, 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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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P. O. BOX 879, BOZEMAN AT 59771-0879.

* C 04

03/31/95
PAGE 2,551

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 400-M-076792-00

IMPORTANT NOTICE

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 22, 1952
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 100.00 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		E25EW	35	27N	35E	VALLEY	DAM

RESERVOIR:

LOT	QTR	SEC	SEC	TWP	RGE	COUNTY
01	DNSTREAM	E25EW	35	27N	35E	VALLEY

RESERVOIR/LAKE NAME: UPPER LONE TREE DETENTION RES
CAPACITY: 150.0 AC-FT DAM HEIGHT: 17 FT SURFACE AREA: 26.26 ACRES

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

THE W067792-00, W067793-00, W067794-00, W170739-00.
BEEN ESTIMATED BY DNRC.

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

PLACE DE USE FOR FLOOD CONTROL:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

* D 04

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076792-00 (CONTINUED)

PLACE OF USE CONTINUED:

001

SEW 35 27N 35E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREAS THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076792-00, W076793-00, W076794-00.

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

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. W067792-00, W067793-00, W067794-00, W170739-00.

THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL USE OF WATER EXISTING PRIOR TO JULY 1, 1973.

THE USE OF THIS WATER APPEARS TO BE LARGELY NON-CONSUMPTIVE.

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,553

WATER:RIGHT:NUMBER:400x-W-076793-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 22, 1952
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 49.61 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 E2SENW 35 27N 35E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM E2SENW 35 27N 35E VALLEY

RESERVOIR LAKE NAME: UPPER LONE TREE DETENTION RES
CAPACITY: _____ 150.0 AC-EI DAM HEIGHT: _____ 17.51 SURFACE AREA: _____ 26.26 ACRES

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

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SENW 35 27N 35E VALLEY

REMARKS:

* F 04

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,555

WATERRIGHTNUMBER:4002-W-076794-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 22, 1952
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QIR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 E25NW 35 27N 35E VALLEY DAM

RESERVOIR:

----- QIR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM E25NW 35 27N 35E VALLEY

RESERVOIR/LAKE NAME: UPPER LONE TREE DETENTION RES
CAPACITY: 150.0 AC-FT DAM HEIGHT: 17.51 SURFACE AREA: 26.26 ACRES

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

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QIR SEC SEC TWP RGE COUNTY -----

001 SENW 35 27N 35E VALLEY

REMARKS:

* H 04

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,556

WATER RIGHT NUMBER 400 - W-076794-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076792-00, W076793-00, W076794-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X X
X X X X X
X THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE X
X FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING X
X PLACES OF USE. W076792-00, W076793-00, W076794-00, X
X W170739-00. X
X X X X

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

* I 04

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,557

WATER RIGHT NUMBER 4002-W-076795-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 07, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 90.00 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 SESENE 01 27N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SESENE 01 27N 36E VALLEY

RESERVOIR/LAKE NAME: BRAZIL DIVIDE DETENTION RESERVOIR
CAPACITY: 96.0 AC-FT DAM HEIGHT: 3 FT SURFACE AREA: ----- ACRES

THE DAM EXTENDS INTO THE NENESE SEC 01 TWP 27N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

PLACE OF USE FOR FLOOD CONTROL:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001

SESENE 01 27N 36E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,558

WATER RIGHT NUMBER 4002-W-076795-002 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076795-00, W076796-00, W076797-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* * * * *
* THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL *
* USE OF WATER EXISTING PRIOR TO JULY 1, 1973. *
* * * * *
* THE USE OF THIS WATER APPEARS TO BE LARGELY *
* NON-CONSUMPTIVE. *
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

* K 04

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,559

WATER RIGHT NUMBER 4002-W-076796-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 07, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .39 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 SESENE 01 27N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 DNSTREAM SESENE 01 27N 36E VALLEY

RESERVOIR/LAKE NAME: BRAZIL DIVIDE DETENTION RESERVOIR
CAPACITY: 96.0 AC-EI DAM HEIGHT: 9 EI SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE NENE SEC 01 TWP 27N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

PLACE OF USE EDB STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SESENE 01 27N 36E VALLEY

03/31/95
PAGE 2,560

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER W-076796-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076795-00, W076796-00, W076797-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-585-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,561

WATER RIGHT NUMBER 4001-W-076797-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 07, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 5.34 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 SESENE 01 27N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SESENE 01 27N 36E VALLEY

RESERVOIR/LAKE NAME: BRAZIL DIVIDE RETENTION RESERVOIR
CAPACITY: 96.0 AC-FT DAM HEIGHT: 9 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE NENESE SEC 01 TWP 27N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SESENE 01 27N 36E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITE WATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,562

WATER RIGHT NUMBER 400-W-076797-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE 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.
W076795-00, W076796-00, W076797-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1908) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X *****

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITewater CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,563

WATER RIGHT NUMBER: 4002-W-076798-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

ADDRESSES: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 31, 1967
TYPE OF HISTORICAL RIGHT: USE

ELOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWSTREAM RESERVOIR.

VOLUME: 2.60 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 SWNW 03 27N 36E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DOWSTREAM SWNW 03 27N 36E VALLEY

RESERVOIR/LAKE NAME: FLAGFIN RETENTION RESERVOIR

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWNW 03 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* A 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,565

WATER RIGHT NUMBER: 4002-V-076799-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 31, 1967
TYPE OF HISTORICAL RIGHT: USE

ELDW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS UNSTREAM RESERVOIR.

VOLUME: .40 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 SWMMW 03 27N 36E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 UNSTREAM SWMMW 03 27N 36E VALLEY
RESERVOIR/LAKE NAME: FLAGFIN RETENTION RESERVOIR

* PLACE OF USE, EOB, STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWMMW 03 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* C 05

03/31/95
PAGE 2,566

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 400g-W-076799-00g (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076798-00, W076799-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

* D 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,567

WATER RIGHT NUMBER: 4002-W-076800-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: DECEMBER 22, 1957
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND BEAMS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY BEAMS -----
01 N2NENW 05 27N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM N2NENW 05 27N 36E VALLEY

RESERVOIR/LAKE NAME: NORTH BEAVER DETENTION RESERVOIR
CAPACITY: 120.0 AC-FT DAM HEIGHT: 20 FT SURFACE AREA: 19.70 ACRES

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 N2NENW 05 27N 36E VALLEY
002 32 E 28N 05 VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATERRIGHTNUMBER:400-W-076800-00(CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076800-00, W076801-00, W076802-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,569

WATERRIGHTNUMBER:400g-W-07680J-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN QUESTION BY THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: DECEMBER 22, 1957
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 29.61 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 N2NEMW 05 27N 36E UALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM N2NEMW 05 27N 36E UALLEY

RESERVOIR/LAKE NAME: NORTH BEAVER DETENTION RESERVOIR
CAPACITY: 120,000 AC-FT DAM HEIGHT: 20 FT SURFACE AREA: 19.70 ACRES

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 N2NEMW 05 27N 36E UALLEY
002 32 28N 36E UALLEY

605

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,570

WATER RIGHT NUMBER 400g-W-076801-00g (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE 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. W076800-00, W076801-00, W076802-00.

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

x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT IN THE WATER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT 343 (1988) (THE BEAR LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x x x x x x x

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P. O. BOX 879, BOZEMAN MT 59771-0879.

* H 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,571

WATER RIGHT NUMBER: 400-M-076802-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

SOURCE: LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: DECEMBER 22, 1957
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 90.00 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 N2NENW 05 27N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM N2NENW 05 27N 36E VALLEY

RESERVOIR/LAKE NAME: NORTH BEAVER DETENTION RESERVOIR
CAPACITY: 120.0 AC-EI DAM HEIGHT: 20 FT SURFACE AREA: 19.70 ACBES

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR FLOOD CONTROL:

----- ACRE ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001
002

N2NENW 05 27N 36E VALLEY
32 128N 05 VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-M-076802-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE 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.
W076800-00, W076801-00, W076802-00.

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x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THE CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL x
x USE OF WATER EXISTING PRIOR TO JULY 1, 1973. x
x x
x THE USE OF THIS WATER APPEARS TO BE LARGELY x
x NON-CONSUMPTIVE. x
x x
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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,573

WATER RIGHT NUMBER 4002-W-076803-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MARCH 31, 1958
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: 134.00 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 NESENW 06 27N 36E VALLEY DAM

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----

01 ONSTREAM NESENW 06 27N 36E VALLEY

RESERVOIR/LAKE NAME: ALKALI DETENTION RESERVOIR
CAPACITY: 145,000 AC-FT DAM HEIGHT: 16 FT SURFACE AREA: 100 ACRES

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN THE
CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR FLOOD CONTROL:

----- ACRES ----- LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY -----

001 NESENW 06 27N 36E VALLEY

REMARKS:

* K 05

03/31/95
PAGE 2,574

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 4002-W-076803-002 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT, RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076803-00, W076804-00, W076805-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X
X X X
X X X
X THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL X
X USE OF WATER EXISTING PRIOR TO JULY 1, 1973. X
X X X
X THE USE OF THIS WATER APPEARS TO BE LARGELY X
X NON-CONSUMPTIVE. X
X X X
X *****

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

* L 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,575

WATER RIGHT NUMBER 4002-W-076804-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MARCH 31, 1958
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: .40 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					06 27N	36E	VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	DNSTREAM			06 27N	36E	VALLEY

RESERVOIR/LAKE NAME: ALKALI DETENTION RESERVOIR
CAPACITY: 195.0 AC-FI DAM HEIGHT: 16 FT SURFACE AREA: _____ ACRES

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR STOCK:

_____ ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001					06 27N	36E	VALLEY	

REMARKS:

* M 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,576

WATER RIGHT NUMBER 400-W-076804-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076803-00, W076804-00, W076805-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

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03/31/95
PAGE 2,577

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 400-W-076805-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MARCH 31, 1958
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: 10.60 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 NESENW 06 27N 36E VALLEY DAM

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----

01 ONSTREAM NESENW 06 27N 36E VALLEY

RESERVOIR/LAKE NAME: ALKALI DETENTION RESERVOIR
CAPACITY: 145.0 AC-EI DAM HEIGHT: 16.51 SURFACE AREA: _____ ACRES

SEE THE BLM PROJECT COMPLETION FILE WORKSHEET IN THE
CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY -----

001 NESENW 06 27N 36E VALLEY

REMARKS:

* 0 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,578

WATER RIGHT NUMBER 4002-W-076805-002 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076803-00, W076804-00, W076805-00.

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

X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X X

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

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03/31/95
PAGE 2,579

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 400x-W-076806-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 31, 1967
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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			S	W	N	W	08 27N 36E VALLEY	PI7

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01			S	W	N	W	08 27N 36E VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			S	W	N	W	08 27N 36E VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* B 06

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,580

WATERRIGHTNUMBER:W-076806-002(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076806-00, W076807-00.

% THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 1
% DATA, OR ISSUES TO REPORT TO THE WATER COURT. 1

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

* C 06

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,581

WATER RIGHT NUMBER: 400-W-076807-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 31, 1967
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 1.60 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			S	W	N	W	VALLEY	PIT

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY	
01	DNSTREAM		S	W	N	W	VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				S	W	N	W	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* D 06

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,582

WATER RIGHT NUMBER 400-W-076807-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREEES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076806-00, W076807-00.

* 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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 875, BOZEMAN MT 59711-0875.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,583

WATER RIGHT NUMBER 002-M-076808-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE [USE]: FLOOD CONTROL

SOURCE: LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 10, 1957
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 553.00 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 SENE 09 27N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SENE 09 27N 36E VALLEY

RESERVOIR/LAKE NAME: MAMMS DETENTION RESERVOIR
CAPACITY: -----562.0 AC-FT DAM HEIGHT: 18 FT SURFACE AREA: -----75.00 ACRES

THE DAM EXTENDS INTO THE NWSE, NWNE SEC 09 TWP 27N
RGE 36E VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

* PLACE OF USE FOR FLOOD CONTROL:

----- ACRES ----- LOT_BLK QTR SEC SEC TWP RGE COUNTY -----

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03/31/95
PAGE 2,584

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 400g-W-076808-00g (CONTINUED)

PLACE OF USE CONTINUED:

001

SENE 09 27N 36E URLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076808-00, W076809-00, W076810-00.

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*****
x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
x UNRESOLVED IF NO OBJECTIONS ARE FILED.
x
x
x THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL
x USE OF WATER EXISTING PRIOR TO JULY 1, 1973.
x
x THE USE OF THIS WATER APPEARS TO BE LARGELY
x NON-CONSUMPTIVE.
x
x
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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,585

WATER RIGHT NUMBER 24002-W-C-76809-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 10, 1957
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 8.7) 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 SENE 09 27N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SENE 09 27N 36E VALLEY

RESERVOIR LAKE NAME: HAMMS DETENTION RESERVOIR
CAPACITY: 562.0 AC-FT DAM HEIGHT: 18.5 FT SURFACE AREA: 75.00 ACRES

THE DAM EXTENDS INTO THE NWSE, NWNESE SEC 09 TWP 27N
RGE 36E VALLEY COUNTY.

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE - EDS - WILDLIFE:

...ACRES----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

* H 06

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,586

WATER RIGHT NUMBER: 4002-W-076809-002 (CONTINUED)

PLACE OF USE CONTINUED:

001

SENE 09 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076808-00, W076809-00, W076810-00.

* 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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,587

WATER RIGHT NUMBER: 400X-W-076810-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 10, 1957
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .39 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 SENE 09 27N 36E UALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SENE 09 27N 36E UALLEY

RESERVOIR/LAKE NAME: HAMMS DETENTION RESERVOIR
CAPACITY: -----562.0 AC----- DAM HEIGHT: 18.0 FT SURFACE AREA: -----75.00 ACRES

THE DAM EXTENDS INTO THE NWSE, NWHESE SEC 09 TWP 27N
RGE 36E UALLEY COUNTY.

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

SEE THE BLN PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE EDB STOCKS:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

* J 06

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,588

WATER RIGHT NUMBER: 400-W-076810-00 (CONTINUED)

PLACE OF USE CONTINUED:

001

SENE 09 27N 36E URLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT, RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076808-00, W076809-00, W076810-00.

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

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

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

* K 06

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,589

WATER RIGHT NUMBER: 400g-W-076811-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 28, 1967
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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 SWNWSE 11 27N 36E VALLEY OAR

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWNWSE 11 27N 36E VALLEY

* PLACE OF USE FOR STOCK:

----- PDBES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWNWSE 11 27N 36E VALLEY

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

* L 06

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076811-00 (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.
W076811-00, W076812-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,591

WATER RIGHT NUMBER 400-V-076912-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY" UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE. THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 28, 1967
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 1.60 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					S4N	W3E	11 27N 36E VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01					S4N	W3E	11 27N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001					S4N	W3E	11 27N 36E VALLEY	

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

* N 06

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,592

WATER RIGHT NUMBER 4002-W-076812-002 (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. W076811-00, W076812-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED X
X X
X X
X X
X X
X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1983) (THE BEAM LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X X

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,593

WATER RIGHT NUMBER: 40014-076813-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 01, 1942
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 18.51 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 SWNW 14 27N 36E UALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DOWSTREAM SWNW 14 27N 36E UALLEY

RESERVOIR/LAKE NAME: UR-49 RESERVOIR
CAPACITY: 18.9 AC-FT DAM HEIGHT: 10.51 SURFACE AREA: 6.17 ACRES

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

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

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWNW 14 27N 36E UALLEY

* A 07

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,394

WATER RIGHT NUMBER 400-W-076813-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE 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. W076813-00, W076814-00.

* 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. *
* * * * *

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,595

WATER RIGHT NUMBER: 4002-W-076814-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY **, 1942
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .39 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			S	W	14	27	N	36E VALLEY DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
01			S	W	14	27	N	36E VALLEY

RESERVOIR/LAKE NAME: UR-49 RESERVOIR
CAPACITY: 18.9 AC-FT DAM HEIGHT: 10 FT SURFACE AREA: 6.17 ACRES

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

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

PLACE OF USE EDB SIDDS:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			S	W	14	27	N	36E VALLEY

* C 07

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,595

WATER RIGHT NUMBER 400 W-076814-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076813-00, W076814-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,597

WATER RIGHT NUMBER: 4002-V-076815-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 24, 1957
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 12.61 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 E2SE 17 27N 36E VALLEY DAM

RESERVOIR:

_____ QTR SEC SEC TWP RGE COUNTY _____
01 ONSTREAM E2SE 17 27N 36E VALLEY

RESERVOIR/LAKE NAME: MOCCASIN DETENTION RESERVOIR
CAPACITY: 520.0 AC-FT DAM HEIGHT: 28.5 SURFACE AREA: _____ ACRES

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE (FOR WILDLIFE):

_____ ACRES _____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____
001 SE 17 27N 36E VALLEY

REMARKS:

* E 07

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,598

WATER RIGHT NUMBER 4002-W-076815-002 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076815-00, W076816-00, W076817-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x *****

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

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PAGE 2,599

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 000
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 4002-W-076816-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* SOURCE: LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 24, 1957
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 507.00 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 E2SE 17 27N 36E VALLEY DAM

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----
01 ONSTREAM E2SE 17 27N 36E VALLEY

RESERVOIR/LAKE NAME: MOCCASIN DETENTION RESERVOIR
CAPACITY: 520.0 AC; EI DAM HEIGHT: 28.0 EI SURFACE AREA: ACRES

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR FLOOD CONTROL:

----- ACRES ----- LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY -----
001 SE 17 27N 36E VALLEY

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN #00
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,600

WATER:RIGHT:NUMBER:400:W-076816-00:(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE 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.
W076815-00, W076816-00, W076817-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* * * * *
* THE CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL *
* USE OF WATER EXISTING PRIOR TO JULY 1, 1973. *
* * * * *
* THE USE OF THIS WATER APPEARS TO BE LARGELY *
* NON-CONSUMPTIVE. *
* * * * *

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

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,601

WATER;RIGHT;NUMBER;400;W-076817-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 24, 1957
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC IMP RGE COUNTY MEANS -----
01 E2SE 17 27N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC IMP RGE COUNTY -----
01 ONSTREAM E2SE 17 27N 36E VALLEY

RESERVOIR/LAKE NAME: MOCCASIN DETENTION RESERVOIR
CAPACITY: _____ 520.0 AC-EI DAM HEIGHT: _____ 28.5I SURFACE AREA: _____ ACRES

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC IMP RGE COUNTY -----
001 SE 17 27N 36E VALLEY

REMARKS:

* I 07

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076817-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076815-00, W076816-00, W076817-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

* J 07

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,603

WATER RIGHT NUMBER 400-W-076818-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MARCH 31, 1958
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: .40 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 MNW 18 27N 36E VALLEY DAM

RESERVOIR:

----- QTR, SEC, SEC TWP, RGE, COUNTY -----
01 ONSTREAM MNW 18 27N 36E VALLEY

RESERVOIR/LAKE NAME: TEPEE DETENTION RESERVOIR
CAPACITY: 138,0 AC-EI DAM HEIGHT: 18-FI SURFACE AREA: ----- ACRES

THE DAM EXTENDS INTO THE SWSWSW SEC 07 TWP 27N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT, BLK, QTR, SEC, SEC TWP, RGE, COUNTY -----
001 SW 07K27N07E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,604

WATER RIGHT NUMBER: 400-W-076818-00 (CONTINUED)

PLACE OF USE CONTINUED:

002

MMW 18 27N 36E VALLEY

BEDROCK:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT, RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076818-00, W076819-00, W076820-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

* L 07

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,605

WATER RIGHT NUMBER 4002-W-076819-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36000
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* SOURCE: LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MARCH 31, 1958
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: 129.00 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 NW/4 18 27N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NW/4 18 27N 36E VALLEY

RESERVOIR/LAKE NAME: TEPEE DETENTION RESERVOIR
CAPACITY: 138,000 AC-FT DAM HEIGHT: 18 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE SW/4 SEC 07 TWP 27N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE EDB FLOOD CONTROL:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SW/4 07 27N 36E VALLEY
002 NW/4 18 27N 36E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,606

WATER RIGHT NUMBER 400-W-076819-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076818-00, W076819-00, W076820-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X
X THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL X
X USE OF WATER EXISTING PRIOR TO JULY 1, 1973. X
X X
X THE USE OF THIS WATER APPEARS TO BE LARGELY X
X NON-CONSUMPTIVE. X
X X
X *****

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

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,607

WATER RIGHT NUMBER 400-U-076820-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59207

PURPOSE (USE): WILDLIFE

* SOURCE: LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MARCH 31, 1958
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: 8.60 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		NW	18	27N	36E	VALLEY	DAM

RESERVOIR:

LOT	ONSTREAM	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	NW	18	27N	36E	VALLEY	

RESERVOIR/LAKE NAME: TEEPEE DETENTION RESERVOIR
CAPACITY: 120.0 AC-FT DAM HEIGHT: 18 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE SWSWSW SEC 07 TWP 27N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

PLACE OF USE EDB WILDLIFE:

ACRES LOT_BLK QTR SEC SEC TWP RGE COUNTY

001 54 07 07 07 VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
P. 2,608

WATER RIGHT NUMBER 400-W-076820-00 (CONTINUED)

PLACE OF USE CONTINUED:

002

MAN 18 274 302 VALLEY

BEDROCKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076818-00, W076819-00, W076820-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X *****

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,609

WATER RIGHT NUMBER: 4002-W-076821-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 2.60 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 SESE 19 27N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SESE 19 27N 36E VALLEY

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SESE 19 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* B 08

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,610

WATER RIGHT NUMBER 400-U-076821-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREE THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076821-00, W076822-00.

* 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. *
* * * * *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,611

WATER₂RIGHT₂NUMBER₂400₂-W-076822-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

ELDW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .40 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			SESE	19	27N	36E	VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01			DNSTREAM	SESE	19	27N	36E VALLEY

PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SESE	19	27N	36E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* D 08

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,612

WATER RIGHT NUMBER: 400-W-076822-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076821-00, W076822-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,613

WATER RIGHT NUMBER 400-W-076823-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY," UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 10, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 16.61 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 SWSENE 20 27N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SWSENE 20 27N 36E VALLEY

RESERVOIR/LAKE NAME: CHIEF JOSEPH RETENTION RESERVOIR
CAPACITY: 17.0 AC-EI DAM HEIGHT: 13 EI SURFACE AREA: 1.54 ACRES

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

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

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWSENE 20 27N 36E VALLEY
002 WANE 20 27N 36E VALLEY

PRELIMINARY DECREE
M.M. RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,615

WATER RIGHT NUMBER: 4001-W-076824-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 04, 1957
TYPE OF HISTORICAL RIGHT: USE

ELOW BASE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .39 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 NNNNN 21 27N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DOWNSTREAM NNNNN 21 27N 36E VALLEY

RESERVOIR/LAKE NAME: HURRICANE RESERVOIR
CAPACITY: _____ CBS Q BC FI DAM HEIGHT: 24 FI SURFACE AREA: _____ ACRES

THE DAM EXTENDS INTO THE NENENE SEC 20 TWP 27N RGE 36E
VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE EDB SICKS:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NENE 20 27N 36E VALLEY
002 W2* 21 H 08 VALLEY

03/31/95
PAGE 2,616

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076824-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE 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.
W076824-00, W076825-00, W076826-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P. O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,617

WATER RIGHT NUMBER W-076825-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36600
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

EFFICIENCY DATE: NOVEMBER 04, 1957
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 275.00 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 NNNNNW 20 27N 36E VALLEY DAM

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----

01 ONSTREAM NNNNNW 20 27N 36E VALLEY

RESERVOIR/LAKE NAME: HURRICANE RESERVOIR
CAPACITY: 285.0 AC-EI DAM HEIGHT: 24.0 EI SURFACE AREA: _____ ACRES

THE DAM EXTENDS INTO THE NENENE SEC 20 TWP 27N RGE 36E
VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR FLOOD CONTROL:

----- ACRES ----- LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY -----

001
002

NENE 20 27N 36E VALLEY
W29 21 J 27N 36E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,618

WATER RIGHT NUMBER 4002-W-076825-002 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE 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.
W076824-00, W076825-00, W076826-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x
x x x
x THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL x
x USE OF WATER EXISTING PRIOR TO JULY 1, 1973. x
x x x
x THE USE OF THIS WATER APPEARS TO BE LARGELY x
x NON-CONSUMPTIVE. x
x x x

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,619

WATER RIGHT NUMBER 4001-V-076826-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 04, 1957
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 9.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY ----- DEANS -----
01 NNNNNW 21 27N 36E VALLEY DAM

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----
01 ONSTREAM NNNNNW 21 27N 36E VALLEY

RESERVOIR/LAKE NAME: HURRICANE RESERVOIR
CAPACITY: 295,000 CU FT DAM HEIGHT: 24.51 SURFACE AREA: ----- ACRES

THE DAM EXTENDS INTO THE MENENE SEC 20 TWP 27N RGE 36E
VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY -----
001 NENE 20 27N 36E VALLEY
002 W29 21 27N 36E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,620

WATER RIGHT NUMBER 4002-W-076826-002 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE 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.
W076824-00, W076825-00, W076826-00.

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

x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x x

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,621

WATER RIGHT NUMBER: 4001-W-076827-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 10, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .39 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 SWSENE 20 27N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SWSENE 20 27N 36E VALLEY

RESERVOIR/LAKE NAME: CHIEF JOSEPH RETENTION RESERVOIR
CAPACITY: 17.0 AC-FT DAM HEIGHT: 13 FT SURFACE AREA: 1.54 ACRES

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

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

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWSENE 20 27N 36E VALLEY
002 WWSENE 20 27N 36E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,622

WATER RIGHT NUMBER 4002-W-076827-002 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE 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.
W076823-00, W076827-00.

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

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

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,623

WATER_RIGHT_NUMBER: 4001-W-076828-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 28, 1967
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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				SWMENW	24	27N	36E	VALLEY DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
01				SWMENW	24	27N	36E	VALLEY

* PLACE OF USE FOR STOCK:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
001				SWMENW	24	27N	36E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* A 09

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,624

WATER RIGHT NUMBER 400 W-076828-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076828-00, W076829-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P. O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,625

WATERRIGHT#NUMBER#400#-W-076829-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 28, 1967
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 2.60 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 SWNEW 24 27N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM SWNEW 24 27N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWNEW 24 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,626

WATER RIGHT NUMBER 400-W-076829-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076829-00, W076829-00.

* 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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITewater CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,627

WATER RIGHT NUMBER 400 W-076830-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1969
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 7.60 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 NWNESE 24 27N 36E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM NWNESE 24 27N 36E VALLEY

RESERVOIR/LAKE NAME: HALLOCK PIT

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 NWNESE 24 27N 36E VALLEY

REMARKS:

POINT OF DIVERSION AND PLACE OF USE ARE IN SEC 24 TWP
27N RGE 36 1/2E VALLEY COUNTY.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,628

WATER RIGHT NUMBER 400-W-076830-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076830-00, W076831-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X X X X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X X X X X X

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3670 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,629

WATER RIGHT NUMBER 400-W-076831-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN QUESTION BY THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1969
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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 NWNESE 24 27N 36E VALLEY PIT

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----

01 DNSTREAM NWNESE 24 27N 36E VALLEY

RESERVOIR/LAKE NAME: HALLOCK PIT

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY -----

001 NWNESE 24 27N 36E VALLEY

REMARKS:

POINT OF DIVERSION AND PLACE OF USE ARE IN SEC 24 TWP
27N RGE 36 1/2E VALLEY COUNTY.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,630

WATER RIGHT NUMBER 400-W-076831-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076830-00, W076831-00.

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

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

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 8/9, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,631

WATER RIGHT NUMBER 4002-W-076832-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY," UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

ADDRESS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ARRABOIDE COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 27, 1967
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 3.60 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 NESW 25 27N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NESW 25 27N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NESW 25 27N 36E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,632

WATER RIGHT NUMBER 400 W-076832-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076832-00, W076833-00.

* 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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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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
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P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,633

WATER RIGHT NUMBER 400-W-076833-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ARRABINE COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 27, 1967
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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 MESW 25 27N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM MESW 25 27N 36E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 MESW 25 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,634

WATER RIGHT NUMBER 400-W-076833-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076832-00, W076833-00.

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

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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
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING 10
P. O. BOX 873, BOZEMAN MT 59771-0879.

* L 09

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,635

WATER RIGHT NUMBER 4003-W-076834-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 05, 1954
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 6.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	BEANS
01		NENWNE	26	27N	36E	VALLEY	DAM

RESERVOIR:

LOT	ONSTREAM	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	NENWNE	26	27N	36E	VALLEY	

RESERVOIR/LAKE NAME: WACO RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			NENWNE	26	27N	36E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* M 09

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/21/95
PAGE 2,637

WATER RIGHT NUMBER 400 W-076835-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 05, 1954
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LDI	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01						26	27N	36E VALLEY	DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM				26	27N	36E VALLEY

RESERVOIR/LAKE NAME: WACO RESERVOIR

* PLACE OF USE EDB STOCK:

	ACRES	LDI	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001						26	27N	36E VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* 0 09

MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
PRELIMINARY DECREE
ABSTRACT OF WATER RIGHT CLAIM

03-31/95
PAGE 2,638

WATER RIGHT NUMBER 400 V-076835-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076834-00, W076835-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,639

WATERRIGHTNUMBER4001-V-076836-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 26, 1967
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- BEANS
01 SWSENE 28 27N 36E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWSENE 28 27N 36E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWSENE 28 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* B 10

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,640

WATER RIGHT NUMBER 400-W-076836-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076836-00, W076837-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA DMLV) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,641

WATERRIGHTNUMBER: 400g-V-076837-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 05-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 26, 1967
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 1.60 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			S	5	28	27	N 36E VALLEY	PIT

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01 DNSTREAM	S	5	28	27	N 36E VALLEY	

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				S	5	28	27	N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* D 10

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,642

WATER RIGHT NUMBER 400-W-076837-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076836-00, W076837-00.

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

x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,643

WATER RIGHT NUMBER 4002-W-076838-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36000
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 01, 1956
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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 NWSW 28 27N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NWSW 28 27N 36E VALLEY

RESERVOIR/LAKE NAME: LOWER BURNETT RESERVOIR

THE DAM EXTENDS INTO THE SENESE SEC 29 TWP 27N RGE 36E
VALLEY COUNTY.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NWSW 28 27N 36E VALLEY

REMARKS:

* F 10

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,644

WATER RIGHT NUMBER: 400-W-076838-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076838-00, W076839-00.

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

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

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,645

WATER RIGHT NUMBER 400-W-076839-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 01, 1956
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 6.60 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 NWSWSW 28 27N 36E VALLEY DAM

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----

01 ONSTREAM NWSWSW 28 27N 36E VALLEY

RESERVOIR/LAKE NAME: LOWER BURNETT RESERVOIR

THE DAM EXTENDS INTO SENESE SEC 29 RGE 27N RGE 36E
VALLEY COUNTY.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY -----

001 NWSWSW 28 27N 36E VALLEY

REMARKS:

* H 10

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,646

WATER RIGHT NUMBER 4002-W-076839-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076838-00, W076839-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x
x x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x x

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,647

WATER RIGHT NUMBER 400-W-076840-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 07, 1952
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 150.00 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 NWNE 29 27N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM NWNE 29 27N 36E VALLEY

RESERVOIR/LAKE NAME: BURNETT DETENTION RESERVOIR
CAPACITY: 150.0 AC-FT DAM HEIGHT: 9 FT SURFACE AREA: ----- ACRES

THE DAM EXTENDS INTO SWNE SEC 29 TWP 27N RGE 36E
VALLEY COUNTY

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE: EDB FLOOD CONTROL:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NWNE 29 J27N 13E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,648

WATER RIGHT NUMBER 4002-W-076840-002 (CONTINUED)

PLACE OF USE CONTINUED:

002 SWNE 29 27N 36E ULLLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076840-00, W076841-00, W076842-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* * * * *
* THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL *
* USE OF WATER EXISTING PRIOR TO JULY 1, 1973. *
* * * * *
* THE USE OF THIS WATER APPEARS TO BE LARGELY *
* NON-CONSUMPTIVE. *
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,649

WATER RIGHT NUMBER 400g-W-076841-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 07, 1952
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 9.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK Q18 SEC SEC 1WP RGE COUNTY ----- MEANS -----
01 NWNE 29 27N 36E VALLEY DAM

RESERVOIR:

----- Q18 SEC SEC 1WP RGE COUNTY -----
01 ONSTREAM NWNE 29 27N 36E VALLEY

RESERVOIR/LAKE NAME: BURNETT DETENTION RESERVOIR
CAPACITY: 160.0 AC-EI DAM HEIGHT: 9.11 SURFACE AREA: ----- ACRES

THE DAM EXTENDS INTO SWNE SEC 29 TWP 27N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK Q18 SEC SEC 1WP RGE COUNTY -----
001 NWNE 29 27N 36E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,650

WATER RIGHT NUMBER 400-W-076841-00 (CONTINUED)

PLACE OF USE CONTINUED:

002

SWNE 27 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076840-00, W076841-00, W076842-00.

* 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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

* M 10

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,651

WATER RIGHT NUMBER 400 W-076842-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 07, 1952
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .39 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 NWNE 29 27N 36E VALLEY DAM

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----

01 DNSTREAM NWNE 29 27N 36E VALLEY

RESERVOIR/LAKE NAME: BURNETT DIVERSION RESERVOIR
CAPACITY: 160.0 AC-EI DAM HEIGHT: 3.5I SURFACE AREA: _____ ACRES

THE DAM EXTENDS INTO THE SWNE SEC 29 TWP 27N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY -----

001 NWNE 29 27N 36E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,652

WATER RIGHT NUMBER: 400-W-076842-00 (CONTINUED)

PLACE OF USE CONTINUED:

002 SWNE 29 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076840-00, W076841-00, W076842-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,653

WATER RIGHT NUMBER: 4002-W-076843-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): IRRIGATION
TYPE OF IRRIGATION SYSTEM: WATER SPREADING

SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 13, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 175.50 AF
CLIMATIC AREA: 2

MAXIMUM ACRES: 117.00

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	33	27N	36E	VALLEY	DIVERSION DAM
02				SESWSW	34	27N	36E	VALLEY	DIVERSION DAM

THE DIVERSION DAM NO. 1 EXTENDS INTO THE E2EHW SEC 04
TWP 26N RGE 36E VALLEY COUNTY.

PLACE OF USE FOR IRRIGATION:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001	5.00				N4NW	03	26N	36E	VALLEY
002	70.00				SE	33	27N	36E	VALLEY
003	42.00				SW	34	27N	36E	VALLEY
TOTAL	117.00								

REMARKS:

* A 11

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,654

WATER RIGHT NUMBER 400-W-076843-00 (CONTINUED)

REMARKS CONTINUED:

THE POINT OF DIVERSION WAS AMENDED BY THE CLAIMANT ON
3/19/91.

* 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 55771-0879.

* B 11

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,655

WATER RIGHT NUMBER 400-M-076844-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* **SOURCE:** UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FLK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 07, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 197.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* **POINT OF DIVERSION AND MEANS OF DIVERSION:**

----- LCI BLK AIR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 SESESW 33 27N 36E VALLEY DAM

RESERVOIR:

----- AIR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM SESESW 33 27N 36E VALLEY

RESERVOIR/LAKE NAME: RINNIE DETENTION RESERVOIR
CAPACITY: 55.0 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: ----- ACRES

THE DAM EXTENDS INTO THE E2NENW SEC 04 TWP 26N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

SEE THE MONTANA RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

PURPOSE OF USE FOR FLOOD CONTROL

* C 11

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,656

WATER RIGHT NUMBER: 400-W-076844-00 (CONTINUED)

PLACE OF USE CONTINUED:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001					N2W	04	26N	36E	VALLEY
002					SESW	33	27N	36E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076844-00, W076845-00, W076846-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL X
X USE OF WATER EXISTING PRIOR TO JULY 1, 1973. X
X X
X THE USE OF THIS WATER APPEARS TO BE LARGELY X
X NON-CONSUMPTIVE. X
X X

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,657

WATER RIGHT NUMBER 4002-W-076845-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LONE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 07, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 9.60 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 SESESW 33 27N 36E URALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SESESW 33 27N 36E URALLEY

RESERVOIR/LAKE NAME: RINNIE DETENTION RESERVOIR
CAPACITY: 55.0 AC-EI DAM HEIGHT: 15.51 SURFACE AREA: ----- ACRES

THE DAM EXTENDS INTO THE E2NEW4 SEC 04 TWP 26N RGE 36E
URALLEY COUNTY.

SEE THE MONTANA RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001

N2W 04 E26N 13E URALLEY

03/31/95
PAGE 2,659

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 400-W-076946-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LOHE TREE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 07, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

_____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____ DAMS
01 SESESW 33 27N 36E VALLEY DAM

RESERVOIR:

_____ QTR SEC SEC TWP RGE COUNTY _____
01 ONSTREAM SESESW 33 27N 36E VALLEY

RESERVOIR/LAKE NAME: RINNIE RETENTION RESERVOIR
CAPACITY: 55.0 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: _____ ACRES

THE DAM EXTENDS INTO THE E26NW SEC 04 TWP 26N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

PLACE OF USE FOR STOCK:

_____ ACRES _____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____
001 N26 04 26N 36E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,660

WATER RIGHT NUMBER 400-W-076846-00 (CONTINUED)

PLACE OF USE CONTINUED:

002

SESW 33 27N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE 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.
W076844-00, W076845-00, W076846-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,661

WATER RIGHT NUMBER 400-V-076847-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): IRRIGATION
TYPE OF IRRIGATION SYSTEM: WATER SPREADING

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 17, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 147.00 AF
CLIMATIC AREA: 2

MAXIMUM ACRES: 98.00

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	(GOUT)	3				01	27N	36E	VALLEY	DIVERSION DAM

PLACE OF USE FOR IRRIGATION:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001	14.00 (GOUT)	3				01	27N	36E	VALLEY
002	12.00 (GOUT)	5				01	27N	36E	VALLEY
003	30.00 (GOUT)	6				01	27N	36E	VALLEY
004	6.00 (GOUT)	7				01	27N	36E	VALLEY
005	6.00 (GOUT)	8				01	27N	36E	VALLEY
006	11.00 (GOUT)	1				12	27N	36E	VALLEY
007	19.00 (GOUT)	4				12	27N	36E	VALLEY
TOTAL	98.00								

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,662

WATER RIGHT NUMBER W-076847-00 (CONTINUED)

REMARKS CONTINUED:

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,663

WATER RIGHT NUMBER: 4002-W-076848-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MILLER COULEE
SOURCE TYPE: SURFACE WATER

PRIDELLY DATE: OCTOBER 01, 1965
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 3.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- DEBNS -----

01 SWSWE 04 27N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SWSWE 04 27N 37E VALLEY

RESERVOIR/LAKE NAME: CISCO RESERVOIR

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWSWE 04 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,664

WATER RIGHT NUMBER 400-W-076848-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES. W076848-00,
W076849-00, W076849-00.

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

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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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 1-406-566-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,665

WATER RIGHT NUMBER: 400g-W-076849-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MILLER COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 01, 1965
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .39 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 SWSWE 04 27N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SWSWE 04 27N 37E VALLEY

RESERVOIR/LAKE NAME: CISCO RESERVOIR

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWSWE 04 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* M 11

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,666

WATER RIGHT NUMBER 4002-W-076849-002 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076849-00, L076849-00.

* 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
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FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,667

WATER RIGHT NUMBER 400-W-076850-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 29, 1965
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

_____ LOT BLK _____ QTR SEC _____ TWP _____ RGE _____ COUNTY _____	MEANS _____
01 SESENE 06 27N 37E VALLEY	DAM

RESERVOIR:

_____ QTR SEC _____ TWP _____ RGE _____ COUNTY _____
01 DNSTREAM SESENE 06 27N 37E VALLEY

* PLACE OF USE FOR STOCK:

_____ ACRES _____ LOT BLK _____ QTR SEC _____ TWP _____ RGE _____ COUNTY _____
001 SESENE 06 27N 37E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,668

WATER RIGHT NUMBER 400-W-076850-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076850-00, W076851-00.

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,669

WATER RIGHT NUMBER 400x-W-076951-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 29, 1965
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 3.61 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 SESENE 06 27N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SESENE 06 27N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SESENE 06 27N 37E VALLEY

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,670

WATER RIGHT NUMBER 400-W-076851-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076850-00, W076851-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED; OBJECTIONS ARE FILED. *
* * * * *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE 03/31/95
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK PAGE 2,671
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 400g-w-076852-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MILLER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 30, 1945
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 5.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT, BLK, QTR, SEC, TWP, RGE, COUNTY ----- DEANS -----
01 NENESE 11 27N 37E VALLEY DAM

RESERVOIR:

----- QTR, SEC, SEC, TWP, RGE, COUNTY -----
01 ONSTREAM NENESE 11 27N 37E VALLEY
RESERVOIR/LAKE NAME: LONELY NIGHT RESERVOIR

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT, BLK, QTR, SEC, SEC, TWP, RGE, COUNTY -----
001 NENESE 11 27N 37E VALLEY

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,672

WATER RIGHT NUMBER 400-0-076852-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREEES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
0076852-00, 0076853-00.

* 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. *
* * * * *

* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1975, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P. O. BOX 879, BOZEMAN MT 59771-0879.

03/31/95
PAGE 2,673

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076853-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MILLER COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 30, 1945
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .39 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 NENESE 11 27N 37E VALLEY 04N

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NENESE 11 27N 37E VALLEY

RESERVOIR/LAKE NAME: LONELY NIGHT RESERVOIR

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NENESE 11 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

C3/31/95
PAGE 2,674

WATER RIGHT NUMBER 400-W-076853-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREEES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076852-00, W076853-00.

* 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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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,675

WATER RIGHT NUMBER 400-W-076854-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MILLER COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 31, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 3.10 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 SWSWNW 11 27N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM SWSWNW 11 27N 37E VALLEY

RESERVOIR/LAKE NAME: UPHAUS RESERVOIR

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWSWNW 11 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,676

WATER RIGHT NUMBER 400-W-076854-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076854-00, W076855-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x x x x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 294 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x x x x x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-585-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

03/31/95
PAGE 2,677

PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076855-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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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ADDRES: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MILLER COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 31, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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			SWS	NW	11	27N	37E	VALLEY	DAM	

RESERVOIR:

-----	QTR	SEC	SEC	TWP	RGE	COUNTY	-----		
01	DNSTREAM		SWS	NW	11	27N	37E	VALLEY	

RESERVOIR/LAKE NAME: UPHAUS RESERVOIR

* PLACE OF USE FOR STOCK:

---	ACRES	---	LOT	BLK	---	QTR	SEC	SEC	TWP	RGE	COUNTY	---
001						SWS	NW	11	27N	37E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,678

WATER RIGHT NUMBER 400-V-076855-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076854-00, W076855-00.

* 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
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FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,679

WATER RIGHT NUMBER 400x-W-076856-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: 4.60 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 NENE 13 27N 37E URALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM NENE 13 27N 37E URALLEY

RESERVOIR/LAKE NAME: ALDRIN RESERVOIR

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NENE 13 27N 37E URALLEY

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,680

WATER RIGHT NUMBER 400-N-076856-00 (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. W076856-00, W076857-00.

* 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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P. O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,681

WATER RIGHT NUMBER 400-W-076857-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 55107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: .40 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 NENE 13 27N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NENE 13 27N 37E VALLEY

RESERVOIR/LAKE NAME: ALDRIN RESERVOIR

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NENE 13 27N 37E VALLEY

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,682

WATER RIGHT NUMBER 400-W-076857-00 (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.
W076856-00, W076857-00.

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

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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
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P.O. BOX 879, BOZEMAN MT 59771-0879.

03/31/95
PAGE 2,689

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400 W-076859-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN QUESTION BY THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36000
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: MILLER COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: 4.60 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 E2NWSW 14 27N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DOWNSTREAM E2NWSW 14 27N 37E VALLEY

RESERVOIR/LAKE NAME: BEAN RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 E2NWSW 14 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 403
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,684

WATER RIGHT NUMBER 4003-V-076858-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076858-00, W076859-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x *****

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 079, BOZEMAN MT 59711-0679.

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PAGE 2,695

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 400-W-076859-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: MILLER CULVEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

_____ LOT BLK QIB SEC SEC TWP RGE COUNTY _____ MEANS _____
01 E2NWSW 14 27N 37E VALLEY DAM

RESERVOIR:

_____ QIB SEC SEC TWP RGE COUNTY _____
01 DNSTREAM E2NWSW 14 27N 37E VALLEY
RESERVOIR/LAKE NAME: BEAN RESERVOIR

* PLACE OF USE FOR STOCK:

_____ ACRES _____ LOT BLK QIB SEC SEC TWP RGE COUNTY _____
001 E2NWSW 14 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,686

WATER RIGHT NUMBER: 400-M-076859-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREEES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
WC76858-00, M076859-00.

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BRS214 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,697

WATER RIGHT NUMBER: 002-W-076860-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 26, 1954
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 1.44 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LQ1 BLK Q18 SEC SEC TWP RGE COUNTY ----- MEANS -----
01 NWSESE 17 27N 37E VALLEY DAM

RESERVOIR:

----- Q18 SEC SEC TWP RGE COUNTY -----
01 DNSTREAM NWSESE 17 27N 37E VALLEY
RESERVOIR/LAKE NAME: SAGE MEN RESERVOIR

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LQ1 BLK Q18 SEC SEC TWP RGE COUNTY -----
001 NWSESE 17 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,688

WATER RIGHT NUMBER 400-W-076860-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076860-00, W076861-00.

* 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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1908) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,689

WATER RIGHT NUMBER: 400-W-076861-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 26, 1954
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- DEANS
01 NWSESE 17 27N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DOWNSTREAM NWSESE 17 27N 37E VALLEY

PLACE OF USE EOB SIDCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWSESE 17 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,690

WATER RIGHT NUMBER 400-W-076861-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076860-00, W076861-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

03/31/95
PAGE 2,691

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 14002-W-076862-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 15, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 65.90 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 SWSWSW 18 27N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWSWSW 18 27N 37E VALLEY

RESERVOIR/LAKE NAME: BEAVERETT DETENTION RESERVOIR
CAPACITY: 66.2 AC-FT DAM HEIGHT: 7 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE SESE SEC 13 TWP 27N RGE 36E AND THE NW1/4 SEC 19 TWP 27N 37E VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 525E 13 TWP 27N 37E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,692

WATER RIGHT NUMBER 4003-W-076862-003 (CONTINUED)

PLACE OF USE CONTINUED:

002		ME	24	27N	36E	VALLEY
003		SWSWSM	18	27N	37E	VALLEY
004	(GOUT) 4	NWNW	19	27N	37E	VALLEY

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076862-00, W076863-00, W076864-00.

* 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. *
* * * * *

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

THE CLAIMED VOLUME MAY BE EXCESSIVE FOR THE CLAIMED PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0679.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,893

WATER RIGHT NUMBER 400-V-076863-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 15, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- BEAMS -----

01 5WSWSW 18 27N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM 5WSWSW 18 27N 37E VALLEY

RESERVOIR/LAKE NAME: BEAURETT DETENTION RESERVOIR
CAPACITY: 66.9 AC-FT DAM HEIGHT: 7 FT SURFACE AREA: ----- ACRES

THE DAM EXTENDS INTO THE SESE SEC 13 TWP 27N RGE 36E
AND THE MNW SEC 19 TWP 27N RGE 37E VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 5WSWSW 18 ~~K~~27N ~~3~~ VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,694

WATER RIGHT NUMBER: 400-W-076863-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076862-00, W076863-00, W076864-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

* L 13

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2.695

WATER RIGHT NUMBER: 400-W-076864-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): IRRIGATION
TYPE OF IRRIGATION SYSTEM: WATER SPREADING

SOURCE: LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 15, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 229.50 AF
CLIMATIC AREA: 2

MAXIMUM ACRES: 153.00

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 SWSWSW 18 27N 37E VALLEY DIVERSION DAM

THE DIVERSION DAM EXTENDS INTO THE SESE SEC 13 TWP 27N
RGE 36N AND THE SWSWSW SEC 18 TWP 27N RGE 37E VALLEY
COUNTY.

* PLACE OF USE FOR IRRIGATION:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 20.60 S2SW 18 27N 37E VALLEY
002 105.00 N2 19 27N 37E VALLEY
003 27.40 SWW 20 27N 37E VALLEY
TOTAL 153.00

REMARKS:

* M 13

PRELIMINARY DECREE
MILK RIVER BELOW WHITENWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,696

WATER RIGHT NUMBER 400-V-076864-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076862-00, W076863-00, W076864-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,697

WATER RIGHT NUMBER 400-V-07665-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 11, 1961
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 22.61 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 NW 21 27N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NW 21 27N 37E VALLEY

RESERVOIR/LAKE NAME: BIG ROCK DETENTION RESERVOIR
CAPACITY: 370.0 AC-FT DAM HEIGHT: 19 FT SURFACE AREA: ACRES

SEE THE MONTANA WATER RESOURCES BOARD WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

NW 21 27N 37E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,698

WATER RIGHT NUMBER 4001-W-076865-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE 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. W076865-00, W076866-00, W076867-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X
X X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X X
X *****

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,699

WATER RIGHT NUMBER: 400-W-076866-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36600
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 11, 1961
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .39 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 NWNW 21 27N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM NWNW 21 27N 37E VALLEY

RESERVOIR/LAKE NAME: BIG ROCK DETENTION RESERVOIR
CAPACITY: 370.0 AC-FT DAM HEIGHT: 19.51 SURFACE AREA: ACRES

SEE THE MONTANA WATER RESOURCES BOARD WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

NWNW 21 B27N 37E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,700

WATER RIGHT NUMBER 400-W-076866-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076865-00, W076866-00, W076867-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,701

WATER RIGHT NUMBER: 400-W-076867-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY," UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE. THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 11, 1961
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 323.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC 1/4 BGE COUNTY MEANS
01 NWNW 21 27N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC 1/4 BGE COUNTY
01 ONSTREAM NWNW 21 27N 37E VALLEY

RESERVOIR/LAKE NAME: BIG ROCK DETENTION RESERVOIR
CAPACITY: 320.0 AC-EI DAM HEIGHT: 19.5I SURFACE AREA: ACBES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR FLOOD CONTROL:

ACRES LOT BLK QTR SEC SEC 1/4 BGE COUNTY
001 NWNW 21 27N 37E VALLEY

REMARKS:

* D 14

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN #00
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,702

WATER RIGHT NUMBER 400-W-076867-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076865-00, W076866-00, W076867-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X
X X X
X THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL X
X USE OF WATER EXISTING PRIOR TO JULY 1, 1973. X
X X X
X THE USE OF THIS WATER APPEARS TO BE LARGELY X
X NON-CONSUMPTIVE. X
X X X

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,703

WATER RIGHT NUMBER 400g-V-076868-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: .40 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 SWSWNE 22 27N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSREAM SWSWNE 22 27N 37E VALLEY

RESERVOIR/LAKE NAME: CONRAD RESERVOIR

THE DAM EXTENDS INTO THE NWNWSE SEC 22 TWP 27N RGE 37E
VALLEY COUNTY.

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWSWNE 22 27N 37E VALLEY

REMARKS:

* F 14

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 002-W-076868-002 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT, RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076868-00, W076869-00.

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

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

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

09/31/95
PAGE 2,705

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-V-076869-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON NOTICE OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: 3.60 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 SWSNE 22 27N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWSNE 22 27N 37E VALLEY

RESERVOIR/LAKE NAME: CONRAD RESERVOIR

THE DAM EXTENDS INTO THE NWNWSE SEC 22 TWP 27N RGE 37E
VALLEY COUNTY.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWSNE 22 27N 37E VALLEY

REMARKS:

* H 14

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,707

WATER RIGHT NUMBER 400-M-076870-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY" UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE. THE CHANGES OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: MILLER COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 02, 1962
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .39 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 NESE 24 27N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESE 24 27N 37E VALLEY

RESERVOIR/LAKE NAME: TOMAHAWK DETENTION RESERVOIR
CAPACITY: 438.0 AC-FT DAM HEIGHT: 27 FT SURFACE AREA: ACRES

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

PLACE OF USE EOB STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001	52NE	24	27N	37E	VALLEY
002	56NW	24	27N	37E	VALLEY
003	N2SE	24	27N	37E	VALLEY

REMARKS:

* J 14

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,708

WATER RIGHT NUMBER 4002-W-076870-00 (CONTINUED)

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076870-00, W076871-00, W076872-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,709

WATER RIGHT NUMBER 400g-W-076071-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: MILLER COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 02, 1962
TYPE OF HISTORICAL RIGHT: USE

ELOW_BAIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 64.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND BEAMS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY BEAMS -----
01 NESE 24 27N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM NESE 24 27N 37E VALLEY

RESERVOIR/LAKE NAME: TOMAHAWK DETENTION RESERVOIR
CAPACITY: 438.0 AC-EI DAM HEIGHT: 27.5I SURFACE AREA: ----- ACBES

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

PLBCE DE USE EDB WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 S2NF 24 27N 37E VALLEY
002 SENW 24 27N 37E VALLEY
003 N2SE 24 27N 37E VALLEY

REMARKS:

* 1 14

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,710

WATER RIGHT NUMBER 400g-W-076871-00g (CONTINUED)

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076870-00, W076871-00, W076872-00.

* 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. *
* * * * *

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,711

WATER RIGHT NUMBER 400 W-076872-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

SOURCE: MILLER COWLEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 02, 1962
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 425.00 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 NESE 24 27N 37E VALLEY DAM

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----

01 ONSTREAM NESE 24 27N 37E VALLEY
CAPACITY: 438.0 AC-FT DAM HEIGHT: 27 FT SURFACE AREA: ACRES

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

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

PLACE OF USE FOR FLOOD CONTROL:

----- ACRES ----- LOT_BLK QTR_SEC_SEC_TWP_RGE_COUNTY -----

001 S2NE 24 27N 37E VALLEY
002 SENEW 24 27N 37E VALLEY
003 NESE 24 27N 37E VALLEY

* N 14

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,712

WATER;RIGHT;NUMBER;400;W-076872-00;(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 DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076870-00, W076871-00, W076872-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x
x x x
x THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL x
x USE OF WATER EXISTING PRIOR TO JULY 1, 1973. x
x x x
x THE USE OF THIS WATER APPEARS TO BE LARGELY x
x NONCONSUMPTIVE. x
x x x

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,713

WATER RIGHT NUMBER: 400-1-W-076873-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 31, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 14.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			N20W06	26	27N	37E	VALLEY		DAM

RESERVOIR:

		DIR	SEC	SEC	TWP	RGE	COUNTY
01	DOWNSTREAM	N20W06	26	27N	37E	VALLEY	

RESERVOIR/LAKE NAME: JORDAN RESERVOIR

* PLACE OF USE, EDB, WILDLIFE:

	ACRES	LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY
001				SWS06	23	27N	37E	VALLEY	
002				N20W06	26	27N	37E	VALLEY	

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,714

WATER RIGHT NUMBER 400 W-076873-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076873-00, W076874-00.

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

THIS IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN OUTFRAGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
X X
X X
X X
X X
X X
X X
X X
X X

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,715

WATER RIGHT NUMBER: 4002-W-076874-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 31, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY REARS -----

01 N2NW/4E 26 27N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM N2NW/4E 26 27N 37E VALLEY

RESERVOIR/LAKE NAME: JORDAN RESERVOIR

* PLACE OF USE FOR SIDOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWSW/4E 23 27N 37E VALLEY
002 N2NW/4E 26 27N 37E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,716

WATER RIGHT NUMBER 4005-W-076874-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076873-00, W076874-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,717

WATER RIGHT NUMBER 400x-W-076875-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

ELOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 3.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC IWP RGE COUNTY MEANS -----

01 NENESE 27 27N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC IWP RGE COUNTY -----

01 DNSTREAM NENESE 27 27N 37E VALLEY

RESERVOIR/LAKE NAME: GORDON RESERVOIR

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC IWP RGE COUNTY -----

001 NENESE 27 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USE OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,718

WATER RIGHT NUMBER 400 W-076875-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076875-00, W076876-00.

* 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. *
* * * * *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P. O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,719

WATER RIGHT NUMBER 4002-W-076876-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

EVAPORATION USE: STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1973
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: .40 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 NENESE 27 27N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM NENESE 27 27N 37E VALLEY

RESERVOIR/LAKE NAME: GORDON RESERVOIR

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 NENESE 27 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MLK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,720

WATER RIGHT NUMBER 400-W-076876-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076875-00, W076876-00.

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

* H 15

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,721

WATER RIGHT NUMBER: 400g-W-076877-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY. UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 27, 1967
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LDI	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SWSWSE	29	27N	37E	VALLEY		PIT

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	SWSWSE	29	27N	37E	VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LDI	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SWSWSE	29	27N	37E	VALLEY		

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076877-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076877-00, W076878-00.

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, 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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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2.723

WATER RIGHT NUMBER: 4002-W-076878-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 27, 1967
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 1.60 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 SWSWSE 29 27N 37E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSWSE 29 27N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSWSE 29 27N 37E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,724

WATER RIGHT NUMBER: 400-1-W-076878-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREEES THE RIGHT TO
ALTERWATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076877-00, W076878-00.

* 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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,725

WATER RIGHT NUMBER: W-076879-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 27, 1967
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT_BLK QTR_SEC_SEC_IWP_RGE_COUNTY ----- MEANS
01 SWSENE 30 27N 37E VALLEY PIT

RESERVOIR:

----- QTR_SEC_SEC_IWP_RGE_COUNTY -----
01 ONSTREAM SWSENE 30 27N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT_BLK QTR_SEC_SEC_IWP_RGE_COUNTY -----
001 SWSENE 30 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,726

WATER RIGHT NUMBER 400-W-076879-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076879-00, W076880-00.

* 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. *
* * * * *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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P. O. BOX 879, BOZEMAN MT 59711-0879.

MILK RIVER BELC: WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,727

WATER RIGHT NUMBER: 400-W-076880-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA CDEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 27, 1967
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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 SWSENE 30 27N 37E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SWSENE 30 27N 37E VALLEY

* PLACE OF USE FDB STOCKS:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWSENE 30 27N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
WILF RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,728

WATER RIGHT NUMBER 400-W-076880-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076879-00, W076880-00.

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

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,729

WATER RIGHT NUMBER 400g-W-076881-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 31, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .39 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 NWSENE 32 27N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWSENE 32 27N 37E VALLEY
RESERVOIR/LAKE NAME: KAULITSKI RESERVOIR
CAPACITY: 19.0 AC-EI DAM HEIGHT: _____ EI SURFACE AREA: _____ ACBES

* PLACE OF USE EDB SIDCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSENE 32 27N 37E VALLEY

REMARKS:

* B 16

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,730

WATER RIGHT NUMBER: 400-W-076881-00 (CONTINUED)

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076881-00, W076882-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,731

WATER RIGHT NUMBER 400-U-076882-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR WAIVED IN OR MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 31, 1953
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 17.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

_____ LDI BLK QTR SEC SEC TWP RGE COUNTY _____ MEANS _____
01 NWSENE 32 27N 37E VALLEY DAM

RESERVOIR:

_____ QTR SEC SEC TWP RGE COUNTY _____
01 ONSTREAM NWSENE 32 27N 37E VALLEY

RESERVOIR/LAKE NAME: ADULTSKI RESERVOIR
CAPACITY: 18.0 AC-FT DAM HEIGHT: _____ FT SURFACE AREA: _____ ACRES

SEE THE MONTANA WATER RESOURCES BOARD WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE EGB WILLGIZEE:

_____ ACRES _____ LDI BLK QTR SEC SEC TWP RGE COUNTY _____
001 NWSENE 32 27N 37E VALLEY

REMARKS:

* D 16

PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,732

WATER RIGHT NUMBER 400 - W-076882-00 (CONTINUED)

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 DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076881-00, W076882-00.

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

* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITewater CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 4002-W-076883-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

SOURCE: LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 01, 1964
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 3,937.00 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 SWSE 35 27N 37E VALLEY DAM

RESERVOIR:

____ QTR SEC SEC TWP RGE COUNTY _____

01 ONSTREAM SWSE 35 27N 37E VALLEY

RESERVOIR/LAKE NAME: GRUB RESERVOIR
CAPACITY: 4427.0 AC-FT DAM HEIGHT: 32 FT SURFACE AREA: _____ ACRES

THE DAM EXTENDS INTO THE NWNE SEC 2 TWP 26N RGE 37E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE EOB ELDDD CONTROL:

____ ACRES ____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____

001 (GOUT) 002 NWNE 02 26N 37E VALLEY
002 (GOUT) 003 NE* 02 F26N 13E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,734

WATER RIGHT NUMBER 4002-W-076883-002 (CONTINUED)

PLACE OF USE CONTINUED:

003	(GOUT) 004	WNW	02	26N	37E	VALLEY
004		SENE	34	27N	37E	VALLEY
005		E2SE	34	27N	37E	VALLEY
006		SENW	35	27N	37E	VALLEY
007		WESE	35	27N	37E	VALLEY
008		SW	35	27N	37E	VALLEY

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. W076883-00, W076884-00, W076885-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL x
x USE OF WATER EXISTING PRIOR TO JULY 1, 1973. x
x x
x THE USE OF THIS WATER APPEARS TO BE LARGELY x
x NON-CONSUMPTIVE. x
x x

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,735

WATER RIGHT NUMBER 4002-W-076884-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 01, 1964
TYPE OF HISTORICAL RIGHT: USE

ELOW BASIS: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 489.60 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 SWSE 35 27N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SWSE 35 27N 37E VALLEY

RESERVOIR/LAKE NAME: GRUB RESERVOIR
CAPACITY: 4957.0 AC-EI DAM HEIGHT: 32 EI SURFACE AREA: _____ ACBES

THE DAM EXTENDS INTO THE NWNE SEC 2 TWP 26N RGE 37E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR WILDLIFE:

----- ACBES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 (COUT) 2 NW* 02 16N 16E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,736

WATER RIGHT NUMBER 400-W-076884-00 (CONTINUED)

PLACE OF USE CONTINUED:

002	(GOUT)	3	NENW	02	26N	37E	VALLEY
003	(GOUT)	4	NWNW	02	26N	37E	VALLEY
004			E2SE	34	26N	37E	VALLEY
005			S2NW	35	26N	37E	VALLEY
006			SENE	34	27N	37E	VALLEY
007			W2SE	35	27N	37E	VALLEY
008			SW	35	27N	37E	VALLEY

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076883-00, W076884-00, W076885-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X THE CLAIMED VOLUME MAY BE EXCESSIVE FOR THE CLAIMED X
X PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. X
X X
X *****

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,737

WATER RIGHT NUMBER 4002-W-076885-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 01, 1964
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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 SWSE 35 27N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SWSE 35 27N 37E VALLEY

RESERVOIR/LAKE NAME: GRUB RESERVOIR
CAPACITY: 427,082 EI DAM HEIGHT: 32 EI SURFACE AREA: 8385

THE DAM EXTENDS INTO THE NWNE SEC 2 TWP 26N RGE 37E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR STOCK:

8385 LOT BLK QTR SEC SEC TWP RGE COUNTY

001

(GOUT) 002

NW 02 26N 37E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,730

WATER RIGHT NUMBER 400-M-076885-003 (CONTINUED)

PLACE OF USE CONTINUED:

002	(GOUT) 003	NENW	02	26N	37E	VALLEY
003	(GOUT) 004	NMNW	02	26N	37E	VALLEY
004		EESSE	34	26N	37E	VALLEY
005		SCHW	35	26N	37E	VALLEY
006		SENE	34	27N	37E	VALLEY
007		W2SE	35	27N	37E	VALLEY
008		SW	35	27N	37E	VALLEY

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076883-00, W076884-00, W076885-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,739

WATER RIGHT NUMBER 400g-W-076886-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JANUARY 15, 1970
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: .40 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 NENSW 02 27N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM NENSW 02 27N 38E VALLEY

RESERVOIR/LAKE NAME: LUNCH RESERVOIR

* PLACE OF USE FOR STOCK:

----- BC8E5 ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 E2NWSW 02 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* L 16

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,740

WATER RIGHT NUMBER 400 W-076886-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076886-00, W076887-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-C879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITewater CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03-31/95
PAGE 2,741

WATER RIGHT NUMBER: 400-W-076887-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JANUARY 15, 1970
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: 9.40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QIR SEC SEC TWP RGE COUNTY MEANS

01 NENWSW 02 27N 38E VALLEY DAM

RESERVOIR:

QIR SEC SEC TWP RGE COUNTY

01 DNSTREAM NENWSW 02 27N 38E VALLEY

RESERVOIR/LAKE NAME: LUNCH RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOI BLK QIR SEC SEC TWP RGE COUNTY

001 E2NWSW 02 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* N 16

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,742

WATER RIGHT NUMBER 400-W-076887-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076886-00, W076887-00.

* 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. *
* * * * *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,743

WATER RIGHT NUMBER: 4001-W-076888-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: DECEMBER 01, 1947
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 16.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT 01K Q18 SEC 03 TWP 27N R6E VALLEY COUNTY DAM

01 (GOVT) 1 SWSENE 03 27N 38E VALLEY

RESEBYDIB:

Q18 SEC 03 TWP 27N R6E COUNTY

01 DNSTREAM SWSENE 03 27N 38E VALLEY
CAPACITY: 13.6 AC-FT DAM HEIGHT: 18 FT SURFACE AREA: 2.27 ACRES

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

THE DAM EXTENDS INTO THE NWSENE SEC 03 TWP 27N R6E 38E
VALLEY COUNTY.

* PLACE OF USE FOR WILDLIFE:

ACRES LOT 01K Q18 SEC 03 TWP 27N R6E COUNTY

001 (GOVT) 1 SWSENE 03 27N 38E VALLEY
002 NWSENE 03 27N 38E VALLEY

REMARKS:

* A 17

PRELIMINARY DECREE 03/31/95
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK PAGE 2,744
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076888-00 (CONTINUED)

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076888-00, W076889-00.

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

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING PLACES OF USE. W076888-00, W076889-00, W170818-00.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA DMLV) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,745

WATER RIGHT NUMBER: 400g-W-076889-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: DECEMBER 01, 1947
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .40 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 (GOUT) 1 SWNESE 03 27N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWNESE 03 27N 38E VALLEY
CAPACITY: 13.6 AC-FT DAM HEIGHT: 19.5 FT SURFACE AREA: 2.27 ACRES

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

THE DAM EXTENDS INTO THE NWSENE SEC 03 TWP 27N RGE 38E
VALLEY COUNTY.

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 (GOUT) 1 SWNESE 03 27N 38E VALLEY
002 NWSENE 03 27N 38E VALLEY

REMARKS:

* C 17

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN #00
ABSTRACT OF WATER RIGHT CLAIM

03-31-95
PAGE 2,746

WATER RIGHT NUMBER 400-W-076889-00 (CONTINUED)

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076888-00, W076889-00.

: THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS :
: EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN :
: UNRESOLVED IF NO OBJECTIONS ARE FILED. :
: :
: :
: :
: THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE :
: FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING :
: PLACES OF USE. W076888-00, W076889-00, W170818-00. :
: :
: :

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,747

WATER RIGHT NUMBER 4002-D-076890-00

***** THIS WATER RIGHT CLAIM HAS BEEN TERMINATED *****

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK

PRIORITY DATE:

FLOW RATE:

VOLUME:

PERIOD OF USE:

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	ATR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01					NEW 03 27N	38E	VALLEY	DAM

RESERVOIR:

PLACE OF USE FOR STOCK:

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS
AT THE REQUEST OF THE CLAIMANT ON 10/24/90.

: THE DMRC 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,748

WATER RIGHT NUMBER 400-0-076891-00

***** THIS WATER RIGHT CLAIM HAS BEEN TERMINATED *****

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL 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					NEW	03	27N 38E	VALLEY DAM

RESERVOIR:

PLACE OF USE FOR WILDLIFE:

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS
AT THE REQUEST OF THE CLAIMANT ON 10/24/90.

x THE DNRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED x
x AS THE CLAIMANT WITHDREW THE CLAIM. x

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,749

WATER RIGHT NUMBER: 400-W-076892-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF COYOTE CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JANUARY 15, 1970
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: 2.60 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 E2NWSE 04 27N 38E VALLEY DAM/PIT
RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM C2NWSE 04 27N 38E VALLEY
RESERVOIR/LAKE NAME: BROGER RESERVOIR

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 E2NWSE 04 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,750

WATER RIGHT NUMBER 4003-W-076892-003 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076892-00, W076893-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P. O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,751

WATER RIGHT NUMBER 4001-W-076893-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF COYOTE CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JANUARY 15, 1970
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: .40 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	E2	NWSE	04	27N	38E	VALLEY	DAM/PT

RESERVOIR:

LOT	ONSTREAM	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	E2	NWSE	04	27N	38E	VALLEY

RESERVOIR/LAKE NAME: BADGER RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			E2	NWSE	04	27N	38E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* I 17

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,752

WATER RIGHT NUMBER 400-W-076893-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREE THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076892-00, W076893-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,753

WATER RIGHT NUMBER 400 W-076894-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JANUARY 15, 1970
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

_____ LDI BLK QTR SEC SEC TWP RGE COUNTY _____ MEANS _____

01 (GOVT) 1 NE 05 27N 38E VALLEY DAM/PIT

RESERVOIR:

_____ QTR SEC SEC TWP RGE COUNTY _____

01 DNSTREAM NE 05 27N 38E VALLEY

RESERVOIR/LAKE NAME: UPPER RETENTION RESERVOIR

* PLACE OF USE FOR STOCK:

____ ACRES _____ LDI BLK QTR SEC SEC TWP RGE COUNTY _____

001 (GOVT) 1 NE 05 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* K 17

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,754

WATER RIGHT NUMBER 400-W-076894-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076894-00, W076895-00.

* 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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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,755

WATER RIGHT NUMBER 400s-W-076895-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA CDEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JANUARY 15, 1970
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: 1.60 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 (GOUT) 1 NE 05 27N 38E VALLEY DAM/PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NE 05 27N 38E VALLEY

RESERVOIR/LAKE NAME: UPPER RETENTION RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 (GOUT) 1 NE 05 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* M 17

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,756

WATER RIGHT NUMBER 400-U-076895-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076894-00, W076895-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x
x x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x x
x *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, 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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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,757

WATER RIGHT NUMBER 400-W-076896-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 05, 1954
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: 11.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND BEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY BEANS
01 NWNESE 06 27N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWNESE 06 27N 38E VALLEY
RESERVOIR/LAKE NAME: KERNEY RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNESE 06 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,758

WATER RIGHT NUMBER 400-V-076896-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREEES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076896-00, W076897-00.

* 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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1985) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA DNL V-3) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,759

WATER RIGHT NUMBER: 4001-W-076897-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 05, 1954
TYPE OF HISTORICAL RIGHT: USE

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

VOLUME: .39 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 NWSE 06 27N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NWSE 06 27N 38E VALLEY

RESERVOIR/LAKE NAME: KERNEY RESERVOIR

* PLACE OF USE (E.B. SIDDE):

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NWSE 06 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* B 18

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,760

WATER RIGHT NUMBER: 400-W-076897-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076896-00, W076897-00.

: 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
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,761

WATER RIGHT NUMBER: 4001-W-076898-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF SAGE HEM CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

FLOW BASIS: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 2.60 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 SWSESE 08 27N 38E VALLEY DAM/PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SWSESE 08 27N 38E VALLEY
RESERVOIR/LAKE NAME: TRISH RESERVOIR
THE DAM EXTENDS INTO WYNENE SEC 17 TWP 27N RGE 38E
VALLEY COUNTY.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWSESE 08 27N 38E VALLEY
002 WYNENE 17 27N 38E VALLEY

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,762

WATER RIGHT NUMBER: 4002-W-076898-001 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076898-00, W076899-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X
X X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X X

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,763

WATER RIGHT NUMBER 400-W-076899-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY NEBNS
01 SWSESE 08 27N 38E VALLEY DAN/PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM SWSESE 08 27N 38E VALLEY

RESERVOIR/LAKE NAME: TRISH RESERVOIR

THE DAM EXTENDS INTO THE NWNENE SEC 17 TWP 27N RGE 38E
VALLEY COUNTY.

* PLACE OF USE FOR SIDDS:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSESE 08 27N 38E VALLEY
002 NWNENE 17 27N 38E VALLEY

REMARKS:

* F 18

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,764

WATER RIGHT NUMBER 400-W-076899-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076898-00, W076899-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0679.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,765

WATER RIGHT NUMBER 400 W-076900-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
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 DNSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY ----- NEBNS
01 SWSNW 09 27N 38E VALLEY DAM

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----
01 DNSTREAM SWSNW 09 27N 38E VALLEY

RESERVOIR/LAKE NAME: UR-167 RESERVOIR

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY -----
001 W2SWNW 09 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* H 18

PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,766

WATER RIGHT NUMBER 400-W-076900-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076900-00, W076901-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,767

WATER RIGHT NUMBER: 400g-W-076901-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
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: 4.61 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 SWSNW 09 27N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWSNW 09 27N 38E VALLEY
RESERVOIR/LAKE NAME: UR-167 RESERVOIR

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 W2SWNW 09 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* J 18

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,768

WATER RIGHT NUMBER 400 - W-076901-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076900-00, W076901-00.

* 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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,769

WATER RIGHT NUMBER 400-W-076902-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JANUARY 15, 1970
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: 5.90 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 W2SENE 09 27N 38E ULLLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM W2SENE 09 27N 38E ULLLEY

RESERVOIR/LAKE NAME: DUET RESERVOIR

THE DAM EXTENDS INTO E2SWNE SEC 09 TWP 27N RGE 38E
VALLEY COUNTY.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 W2SENE 09 27N 38E ULLLEY
002 N2SWNE 09 27N 38E ULLLEY

REMARKS:

* L 18

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,770

WATER RIGHT NUMBER 400-W-076902-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076902-00, W076903-00.

* 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. *
* * * * *

* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT IN THE MATTER OF THE DEARBORN DRAINAGE *
* RRER, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,771

WATER RIGHT NUMBER 4003-W-076903-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JANUARY 15, 1970
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: .40 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 W2SENE 09 27N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM W2SENE 09 27N 38E VALLEY

RESERVOIR/LAKE NAME: DUET RESERVOIR

THE DAM EXTENDS INTO THE E2SWNE SEC 09 TWP 27N RGE 38E
VALLEY COUNTY.

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT_BLK QTR SEC SEC TWP RGE COUNTY -----

001 W2SENE 09 27N 38E VALLEY
002 NESWNE 09 27N 38E VALLEY

BEDROCKS:

* N 18

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,772

WATER RIGHT NUMBER 400-W-076903-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076902-00, W076903-00.

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

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

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,773

WATER RIGHT NUMBER 400-W-076904-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF COVOTE CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JANUARY 15, 1970
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: 1.60 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 W2N2W 10 27N 38E VALLEY DAM/PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM W2N2W 10 27N 38E VALLEY
RESERVOIR/LAKE NAME: HUMP RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 W2N2W 10 27N 38E VALLEY
002 E2N2W 10 27N 38E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,774

WATER RIGHT NUMBER 4002-W-076904-002 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076904-00, W076905-00.

* 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. *
* * * * *

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
* * * * *

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

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PAGE 2,775

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076905-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF COVOTE CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JANUARY 15, 1970
TYPE OF HISTORICAL RIGHT: FILED

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

VOLUME: .40 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		W2	NENW	10	27N	38E	VALLEY	DAM/PIT

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		ONSTREAM	W2	NENW	10	27N	38E VALLEY

RESERVOIR/LAKE NAME: HUMP RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			W2	NENW	10	27N	38E	VALLEY
002			E2	NENW	10	27N	38E	VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,776

WATER RIGHT NUMBER 400-V-076905-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076904-00, W076905-00.

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

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

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

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN AT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITENWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,777

WATER RIGHT NUMBER: 400-4-076906-00

IMPORTANT NOTICE

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

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF COYDIE CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JANUARY 15, 1970
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.60 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			SESWSW	11	27N	38E	VALLEY		DAM/PIT

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	SESWSW	11	27N	38E	VALLEY	

RESERVOIR/LAKE NAME: OLA RESERVOIR

THE DAM EXTENDS INTO NENWNW SEC 14 TWP 27N RGE 38E
VALLEY COUNTY.

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SESWSW	11	27N	38E	VALLEY	
002				NENWNW	14	27N	38E	VALLEY	

REMARKS:

* E 19

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,779

WATER RIGHT NUMBER: 400-W-076907-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF COYOTE CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JANUARY 15, 1970
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 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		SE	SW	11	27N	38E	VALLEY	DAM/PIT

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
01		ONSTREAM	SE	SW	11	27N	38E	VALLEY

RESERVOIR/LAKE NAME: OLA RESERVOIR

THE DAM EXTENDS INTO THE NENNW SEC 14 TWP 27N RGE 38E
VALLEY COUNTY.

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SE	SW	11	27N	38E	VALLEY
002			NENNW	14	27N	38E	VALLEY	

REMARKS:

* G 19

PRELIMINARY DECREE
MILK RIVER BELOW WHITewater CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,780

WATER RIGHT NUMBER 400 - W-076907-00 (CONTINUED)

REMARKS CONTINUED.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE 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.
W076906-00, W076907-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-V-076908-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 02, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

VOLUME: .39 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 NWNWSE 15 27N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NWNWSE 15 27N 38E VALLEY

RESERVOIR/LAKE NAME: WILSON RESERVOIR
CAPACITY: 15.0 AC-FT DAM HEIGHT: 23 FT SURFACE AREA: 1.88 ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

THE SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY
DNRC.

* **PLACE OF USE FOR STOCK:**

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NWNWSE 15 27N 38E VALLEY

* I 19

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PAGE 2,792

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076908-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076908-00, W076909-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN AT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,783

WATER RIGHT NUMBER 4003-W-076909-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNMANNED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 02, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 14.61 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 NWNWSE 15 27N 38E VALLEY DAM

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----

01 ONSTREAM NWNWSE 15 27N 38E VALLEY

RESERVOIR/LAKE NAME: WILSON RESERVOIR
CAPACITY: 15.0 AC-FT DAM HEIGHT: 23 FT SURFACE AREA: 1.00 ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

THE SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY
DNRC.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY -----

001 NWNWSE 15 27N 38E VALLEY

* K 19

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,784

WATER RIGHT NUMBER 4002-W-076909-002 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076908-00, W076909-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x

x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,785

WATER RIGHT NUMBER 400-W-076910-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 02, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.51 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT, BLK, QTR, SEC, TWP, RGE, COUNTY ----- MEANS -----
01 N5W5E 17 27N 38E VALLEY DAM/PI

RESERVOIR:

----- QTR, SEC, TWP, RGE, COUNTY -----
01 ONSTREAM N5W5E 17 27N 38E VALLEY
RESERVOIR/LAKE NAME: DICKS RESERVOIR

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT, BLK, QTR, SEC, TWP, RGE, COUNTY -----
001 N5W5E 17 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* M 19

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 400 W-076910-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076910-00, W076911-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x x
x *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 079, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER 400-W-076911-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 02, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- GRABS -----

01 NWSENE 17 27N 38E VALLEY DAM/PI

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM NWSENE 17 27N 38E VALLEY

RESERVOIR/LAKE NAME: DICKS RESERVOIR

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 NWSENE 17 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* 0 19

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 4001-V-076911-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREEES THE RIGHT TO
ALTERATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076910-00, W076911-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 4001-V-076-12-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 26, 1946
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 7.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

01 LO1 BLK Q1R SEC SEC TWP RGE COUNTY DFBMS
01 SWSWNW 20 27N 38E VALLEY DAM

RESERVOIR:

01 Q1R SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSWNW 20 27N 38E VALLEY
RESERVOIR/LAKE NAME: BEAVER RESERVOIR

* PLACE OF USE FOR WILDLIFE:

001 ACRES LO1 BLK Q1R SEC SEC TWP RGE COUNTY
001 SWSWNW 20 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* B 20

PRELIMINARY DECREE
MILK RIVER BELOW WHITewater CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 400-W-076913-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 26, 1946
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .39 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		SWSNW	20 27N	30E	VALLEY		DAM

RESERVOIR:

LOT	QTR	SEC	SEC	TWP	RGE	COUNTY
01	DNSTREAM	SWSNW	20 27N	30E	VALLEY	

RESERVOIR/LAKE NAME: BEAVER RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SWSNW	20 27N	30E	VALLEY		

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER 400 W-076913-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076912-00, W076913-00.

* 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
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-524-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 4001-W-076914-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

SOURCE: SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 25, 1960
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 472.00 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 SWNE 21 27N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM SWNE 21 27N 38E VALLEY

RESERVOIR/LAKE NAME: JUDY RESERVOIR
CAPACITY: 559.7 AC-FT DAM HEIGHT: 23 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO NWNWSE, NENESW SEC 21 TWP 27N RGE
38E VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT IN THE CLAIM
FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR FLOOD CONTROL:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNE 21 27N 38E VALLEY
002 SENEW 21 27N 38E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER: 400-W-076915-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 25, 1960
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .39 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 SWNE 21 27N 38E VALLEY DAM

RESERVOIR:

01 DNSTREAM SWNE 21 27N 38E VALLEY

RESERVOIR/LAKE NAME: JUDY RESERVOIR
CAPACITY: 59.7 AC FEI DAM HEIGHT: 29 FEI SURFACE AREA: ACRES

THE DAM EXTENDS INTO NWNWSE, NENESW SEC 21 TWP 27N RGE
38E VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT IN THE CLAIM
FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001
002

SWNE 21 27N 38E VALLEY
SENE 21 27N 38E VALLEY

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076915-00 (CONTINUED)

PLACE OF USE CONTINUED:

003	E2SEW	21	27N	38E	VALLEY
004	W4SEW	21	27N	38E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076914-00, W076915-00, W076916-00.

X THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, X
X DATA, OR ISSUES TO REPORT TO THE WATER COURT. X

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 400-W-076916-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 25, 1960
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 157.31 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 SWNE 21 27N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM SWNE 21 27N 38E VALLEY

RESERVOIR/LAKE NAME: JUDY RESERVOIR
CAPACITY: 559.2 AC-FT DAM HEIGHT: 23 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO NW1/4, NENEW SEC 21 TWP 27N RGE 38E VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNE 21 27N 38E VALLEY
002 S2NE 21 27N 38E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,799

WATER RIGHT NUMBER: 4001-W-076917-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 25, 1960
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 343.60 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 S2SENE 22 27N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM S2SENE 22 27N 38E VALLEY

RESERVOIR/LAKE NAME: DEEP CUT RESERVOIR
CAPACITY: 373.4 AC-FT DAM HEIGHT: 30 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO SWSWNW SEC 23 TWP 27N RGE 38E
VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT IN THE CLAIM
FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR FLOOD CONTROL:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENE 22 27N 38E VALLEY

* L 20

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,800

WATER RIGHT NUMBER 4002-W-076917-002 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076917-00, W076918-00, W076919-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X
X THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL USE X
X OF WATER EXISTING PRIOR TO JULY 1, 1979. X
X X
X THE USE OF THIS WATER APPEARS TO BE LARGELY X
X NON-CONSUMPTIVE. X
X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,801

WATER RIGHT NUMBER 4001-W-076918-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 25, 1960
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 69.40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEAS -----
01 52SENE 22 27N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM 52SENE 22 27N 38E VALLEY

RESERVOIR/LAKE NAME: DEEP CUT RESERVOIR
CAPACITY: 373.4 AC-FT DAM HEIGHT: 30 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO SWSNW SEC 23 TWP 27N RGE 38E
VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT IN THE CLAIM
FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 * 22 27N 38E VALLEY

* N 20

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,802

WATER RIGHT NUMBER 400-W-076918-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076917-00, W076918-00, W076919-00.

1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS 1
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN 1
3 UNRESOLVED IF NO OBJECTIONS ARE FILED. 1
4 1 1
5 1 1
6 1 1

1 THERE IS A QUESTION AS TO THE VALIDITY OF THIS 1
2 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE 1
3 AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE 1
4 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE 1
5 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION 1
6 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND 1
7 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." 1
8 1 1
9 1 1
10 *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,803

WATER RIGHT NUMBER: 4002-V-076919-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY" UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 26 1960
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: AC FE

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT, BLK, QTR, SEC, TWP, RGE, COUNTY ----- MEANS -----

01 S25ENE 22 27N 38E VALLEY DAM

RESERVOIR:

----- QTR, SEC, TWP, RGE, COUNTY -----

01 DNSTREAM S25ENE 22 27N 38E VALLEY

RESERVOIR/LAKE NAME: DEEP CUT RESERVOIR
CAPACITY: 323.4 AC-FT DAM HEIGHT: 30.51 SURFACE AREA: ----- ACRES

THE DAM EXTENDS INTO THE SW5SWW SEC 23 TWP 27N RGE 38E
VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT IN THE CLAIM
FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE, EDR, SIDCK:

----- ACRES ----- LOT, BLK, QTR, SEC, TWP, RGE, COUNTY -----

001

SENE 22 27N 38E VALLEY

* A 21

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,804

WATER RIGHT NUMBER 400X-W-076919-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076917-00, W076918-00, W076919-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95

PAGE 2,805

WATER RIGHT NUMBER 400 W-076920-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGED FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* SOURCE: COYOTE CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 13, 1960
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DNSTREAM RESERVOIR.

VOLUME: 520.00 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 N4WSE 24 27N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM N4WSE 24 27N 38E VALLEY

RESERVOIR/LAKE NAME: JANUARY RESERVOIR
CAPACITY: 556.3 AC-FT DAM HEIGHT: 33 FT SURFACE AREA: ----- ACRES

THE DAM EXTENDS INTO NENESEW SEC 24 TWP 27N RGE 38E
VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT IN THE CLAIM
FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR FLOOD CONTROL:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 W2SWNE 24 27N 38E VALLEY
002 E2SEW 24 27N 38E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,006

WATER RIGHT NUMBER 400-W-076920-00 (CONTINUED)

PLACE OF USE CONTINUED:

003					
004		NWNSE	24	27N	38E VALLEY
		NENESW	24	27N	38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076920-00, W076921-00, W076922-00.

1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
1 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
1 UNRESOLVED IF NO OBJECTIONS ARE FILED.
1
1
1
1
1 THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL USE
1 OF WATER EXISTING PRIOR TO JULY 1, 1973.
1
1 THE USE OF THIS WATER APPEARS TO BE LARGELY
1 NON-CONSUMPTIVE.
1
1
1

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA DML) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,807

WATER RIGHT NUMBER: 400-V-076921-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: COYOTE CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 13, 1960
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 115.02 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 NWNWSE 24 27N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM NWNWSE 24 27N 38E VALLEY

RESERVOIR/LAKE NAME: JANUARY RESERVOIR

CAPACITY: 556.3 AC-FT DAM HEIGHT: 33 FT SURFACE AREA: ----- ACRES

THE DAM EXTENDS INTO NENESM SEC 24 TWP 27N RGE 38E
VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT IN THE CLAIM
FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001
002

W2SWNE 24 27N 38E VALLEY
E2SEW 24 27N 38E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,908

WATER RIGHT NUMBER 400-W-076921-00 (CONTINUED)

PLACE OF USE CONTINUED:

003	NUMUSE	24	27N	38E	URALLEY
004	NEHESEW	24	27N	38E	URALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076920-00, W076921-00, W076922-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,809

WATER RIGHT NUMBER: 4003-W-076922-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: COYD E CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 13, 1960
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DNSTREAM RESERVOIR.

VOLUME: .40 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 NWNWSE 24 27N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM NWNWSE 24 27N 38E VALLEY

RESERVOIR/LAKE NAME: JANUARY RESERVOIR
CAPACITY: 556.3 AC-FT DAM HEIGHT: 33 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE NENEGW SEC 24 TWP 27N RGE 38E VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001
002

W2SWNE 24 27N 38E VALLEY
E2SEW 24 27N 38E VALLEY

21

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,810

WATER RIGHT NUMBER: 400-W-076922-00 (CONTINUED)

PLACE OF USE CONTINUED:

003	NW/NE	24	27N	30E	VALLEY
004	NENEW	24	27N	30E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076920-00, W076921-00, W076922-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,811

WATER RIGHT NUMBER: 4002-W-076923-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF COVOTE CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: SEPTEMBER 10, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .40 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						24	27N	38E	VALLEY DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY	
01	DNSTREAM				24	27N	38E	VALLEY

RESERVOIR/LAKE NAME: SEAGULL RESERVOIR

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY		
001							SWSSE	13	27N	38E	VALLEY
002							NENWNE	24	27N	38E	VALLEY
003							NWNWNE	24	27N	38E	VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,012

WATER RIGHT NUMBER 400-V-076923-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076923-00, W076924-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,813

WATER RIGHT NUMBER 400 W-076924-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF COYOTE CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: SEPTEMBER 10, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.60 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 NENWNE 24 27N 38E VALLEY DAN

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NENWNE 24 27N 38E VALLEY

RESERVOIR/LAKE NAME: SEAGULL RESERVOIR

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWSESE 13 27N 38E VALLEY
002 NENWNE 24 27N 38E VALLEY
003 NWNWNE 24 27N 38E VALLEY

BEDROCK:

* K 21

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,814

WATER RIGHT NUMBER 400-W-076924-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076923-00, W076924-00.

* 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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,815

WATER RIGHT NUMBER 4002-V-076925-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 21, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 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 W2SEW 25 27N 38E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM W2SEW 25 27N 38E VALLEY
RESERVOIR/LAKE NAME: SUNFISH RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 W2SEW 25 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* M 21

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,816

WATER RIGHT NUMBER 4001-W-076925-001 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076925-00, W076926-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X
X X X
X X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X X

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,817

WATER RIGHT NUMBER 400-W-076926-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY," UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE. THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 21, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS OUNSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 W25ENW 25 27N 38E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM W25ENW 25 27N 38E VALLEY

RESERVOIR/LAKE NAME: SUNFISH RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES LOI BLK QTR SEC SEC TWP RGE COUNTY
001 W25ENW 25 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* 0 21

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,818

WATER RIGHT NUMBER 4001-V-076926-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076925-00, W076926-00.

* 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 ADDJINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-524-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,819

WATER RIGHT NUMBER 400g-v 976927-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CONTINUED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OF THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF PUBLICATION. UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 3630
BILLINGS 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK
SOURCE TYPE: SURFACE

PRIORITY DATE: FEBRUARY 28, 1947
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 5.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
01 NWENE 26 27N 38E VALLEY CAN

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM NWENE 26 27N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NWENE 26 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,820

WATER RIGHT NUMBER 400-W-076927-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076927-00, W076928-00.

* 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. *
* * * * *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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FLOW RATES, VOLUMES, 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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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
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P. O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,821

WATER RIGHT NUMBER: 4003-V-076928-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1947
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 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 _____ MWNENE 26 27N 38E VALLEY DAM

RESERVOIR:

_____ QTR SEC SEC TWP RGE COUNTY _____
01 ONSTREAM MWNENE 26 27N 38E VALLEY

* PLACE OF USE FOR STOCK:

_____ ACRES _____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____
001 _____ MWNENE 26 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95
PAGE 2,822

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-U-076928-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076927-00, W076928-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

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YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
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TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,823

WATER RIGHT NUMBER: 4002-W-076929-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 22, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 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			SW	NE	27	27N	38E	VALLEY	PIT

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	RESERVOIR/LAKE NAME	
01			SW	NE	27	27N	38E	VALLEY	CRAPPIE RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SW	NE	27	27N	38E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* F 22

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,824

WATER RIGHT NUMBER 4001-W-076929-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076929-00, W076930-00.

* 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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1908) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,825

WATER RIGHT NUMBER 400-1-W-076930-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 22, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY BEANS -----
01 SWNESE 27 27N 38E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWNESE 27 27N 38E VALLEY

RESERVOIR/LAKE NAME: CRAPPIE RESERVOIR

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWNESE 27 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* H 22

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,826

WATER RIGHT NUMBER 4001-W-076930-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREEES THE RIGHT TO
ALTERATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076929-00, W076930-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,227

WATER RIGHT NUMBER: 4002-W-076931-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 1.10 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 S25W5W 27 27N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DOWNSTREAM S25W5W 27 27N 38E VALLEY
RESERVOIR/LAKE NAME: JAN RESERVOIR

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 S25W5W 27 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* J 22

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,828

WATER RIGHT NUMBER 000-M-076931-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT - RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076931-00, W076932-00.

* 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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE CARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,029

WATER RIGHT NUMBER 400 W-076932-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DMRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36000
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC IWP BGE COUNTY MEANS -----
01 S25WSW 27 27N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC IWP BGE COUNTY -----
01 ONSTREAM S25WSW 27 27N 38E VALLEY

RESERVOIR/LAKE NAME: JAN RESERVOIR

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC IWP BGE COUNTY -----
001 S25WSW 27 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* L 22

03/31/95
PAGE 2,830

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076932-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076931-00, W076932-00.

* 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
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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 879, BOZEMAN MT 59717-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,831

WATER RIGHT NUMBER: 4001-V-076933-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 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 SWSENE 29 27N 38E VALLEY DAM

RESERVOIR:

_____ QTR SEC SEC TWP RGE COUNTY _____
01 ONSTREAM SWSENE 29 27N 38E VALLEY

PLACE OF USE FOR STOCK:

_____ ACRES _____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____
001 SWSENE 29 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,832

WATER RIGHT NUMBER 400 - W-076933-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076933-00, W076934-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/96
PAGE 2,839

WATER RIGHT NUMBER 4003-W-076934-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT 01K 018 SEC SEC 17P 08E COUNTY MEANS

01 SWSENE 29 27N 38E VALLEY DAM

RESERVOIR:

01P SEC SEC 17P 08E COUNTY

01 ONSTREAM SWSENE 29 27N 38E VALLEY

PLACE OF USE FOR WILDLIFE:

01K 018 SEC SEC 17P 08E COUNTY

01 SWSENE 29 27N 38E VALLEY

REMARKS:

* WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
SEPARATE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR OTHER PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK CREEK BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN AND
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,834

WATER RIGHT NUMBER: W-076934-001 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (FOR PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076934-001.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE COM. DURING ITS
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
X UNRESOLVED IF NO OBJECTIONS ARE FILED.
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X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS
X CLAIMED RIGHT IN THE MATTER OF THE DEARBORN DRAINAGE
X AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE). THE
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THAT UNDER
X THE UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
X WILDLIFE, EXCEPT THROUGH "TRAPPHY RIGHT STATUTE."
X
X
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X
X *****

FOR BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN IN SITUATIONS OF LOW FLOWS
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. (FOR EXAMPLE, COMPASS PRIORITY DATES,
FLOOD WATERS, VOLUMES, OR ACRES IRRIGATED). ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE COM'S EXAMINATION RESULTS AND RELATED MATTERS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU HAVE OBJECTION FORMS, OR HAVE QUESTIONS ABOUT COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3770 (WITHIN MONTANA CALL 406-586-4364), OR BY WRITING TO:
P. O. BOX 800, BOZEMAN MT 59711-0800.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2.835

WATER_RIGHT_NUMBER: 400-W-076935-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY" UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE. THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: MILLER COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 01, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .39 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 (GOVT) 1 SENWNW 30 27N 38E VALLEY DAM/PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SENWNW 30 27N 38E VALLEY
RESERVOIR/LAKE NAME: THUNDERHEAD PIT RESERVOIR

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 (GOVT) 1 SENWNW 30 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,836

WATER RIGHT NUMBER W-076935-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076935-00, W076936-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,837

WATER RIGHT NUMBER 400 W-076936-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY," UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: MILLER COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 01, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.51 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 (GOUT) 1 SENW 30 27N 38E VALLEY DAM/PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENW 30 27N 38E VALLEY
RESERVOIR/LAKE NAME: THUNDERHEAD PIT RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 (GOUT) 1 SENW 30 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* E 23

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,838

WATER RIGHT NUMBER 400 W-076936-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076935-00, W076936-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X X X X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X X X X X X

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,839

WATER RIGHT NUMBER 400-W-076937-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MILLER COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1871
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 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	(GOUT)	1		NW	31	27N	38E	VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM			NW	31	27N 38E VALLEY

RESERVOIR/LAKE NAME: BUZZ RETENTION RESERVOIR

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001		(GOUT)	1		NW	31	27N	38E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 400-W-076937-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076937-00, W076938-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,841

WATER RIGHT NUMBER 400-11-076938-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MILLER COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 5.10 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 (GOVT) 1 NW 31 27N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM NW 31 27N 38E VALLEY

RESERVOIR/LAKE NAME: BUZZ RETENTION RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 (GOVT) 1 NW 31 27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,842

WATER RIGHT NUMBER 400-W-076938-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076937-00, W076938-00.

* 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. *
* * * * *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 349 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

03/31/95
PAGE 2,843

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400 W-076939-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 01, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.61 AF

REBIDD OR USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NW	NW	32	27N	38E	VALLEY DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
01			NW	NW	32	27N	38E	VALLEY

RESERVOIR/LAKE NAME: ROBIN RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			NW	NW	32	27N	38E	VALLEY
002			NE	NE	32	27N	38E	VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,844

WATER RIGHT NUMBER 400-V-076939-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076939-00, W076940-00.

* 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. *
* * * * *

* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

* A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING *
* YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, *
* FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT *
* TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO *
* OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, 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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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-506-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,845

WATER RIGHT NUMBER 400 - W-076940-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGED FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-733, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 01, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .39 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 NNNWNE 32 27N 38E ULLLEY DAM

RESERVOIR:

QTR..SEC..SEC..TWP...RGE..COUNTY
01 DNSTREAM NNNWNE 32 27N 38E ULLLEY
RESERVOIR/LAKE NAME: ROBIN RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES...LOT..BLK...QTR..SEC..SEC..TWP...RGE..COUNTY
001 NNNWNE 32 27N 38E ULLLEY
002 NENENW 32 27N 38E ULLLEY

REMARKS:

* M 23

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,846

WATER RIGHT NUMBER 4005-W-076940-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076939-00, W076940-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,047

WATER RIGHT NUMBER: 400-W-076941-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 04, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .39 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 E2NESE 34 27N 30E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 DNSTREAM E2NESE 34 27N 30E VALLEY

RESERVOIR/LAKE NAME: BIG FORK RESERVOIR
CAPACITY: 293.0 AC-FT DAM HEIGHT: 17 FT SURFACE AREA: ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001
002

SWSENE 34 27N 30E VALLEY
NESE 34 27N 30E VALLEY

REMARKS:

* 0 23

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,848

WATER RIGHT NUMBER 4003-W-076941-003 (CONTINUED)

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 DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076941-00, W076942-00, W076943-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3272 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P. O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95

PAGE 2,849

WATER RIGHT NUMBER 400 W-076942-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 04, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 30.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK. QTR. SEC. 36.1 IWP. RGE. COUNTY MEANS
01 ENESE 34 27N 38E VALLEY DAM

RESERVOIR:

QTR. SEC. 36.1 IWP. RGE. COUNTY
01 ANSTPEAR FANLSE 34 27N 38E VALLEY

RESERVOIR NAME: BIG FORK RESERVOIR
CAPACITY: 253,000 AC-FT DAM HEIGHT: 17.51 SURFACE AREA: ACRES

SEE THE MONTANA WATER RIGHTS BOARD DAM INVENTORY
WORKSHEET IN THE LIBRARY FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE (S. WILDLIFE):

ACRES LOT BLK. QTR. SEC. 36.1 IWP. RGE. COUNTY

001 SWSENE 34 27N 38E VALLEY
002 NESE 34 27N 38E VALLEY

REMARKS:

* B 24

03/31/95
PAGE 2,850

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-V-076942-00 (CONTINUED)

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076941-00, W076942-00, W076943-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,851

WATER RIGHT NUMBER 400 W-076943-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 04, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 262.40 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 E2NESE 34 27N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM E2NESE 34 27N 38E VALLEY

RESERVOIR/LAKE NAME: BIG FORK RESERVOIR
CAPACITY: 293.0 AC-FT DAM HEIGHT: 17 FT SURFACE AREA: _____ ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE, EDD, FLOOD CONTROL:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWSENE 34 27N 38E VALLEY
002 E2NESE 34 27N 38E VALLEY

REMARKS:

* D 24

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,852

WATER RIGHT NUMBER 400 W-076943-00 (CONTINUED)

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 DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076941-00, W076942-00, W076943-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL x
x USE OF WATER EXISTING PRIOR TO JULY 1, 1973. x
x x
x *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-524-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,853

WATER RIGHT NUMBER: 4001-W-076944-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36000
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 13, 1951
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .39 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			NENESE	35	27N	38E	VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01			DNSTREAM	NENESE	35	27N	38E VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001						NENESE	35	27N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,654

WATER RIGHT NUMBER 4001-W-076944-001 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076944-00, W076945-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x x x x x
x x x x x x x x
x RESERVOIR APPEARS WASHED OUT ON 1979 USDA AERIAL x
x PHOTOGRAPH NO. 179-180, DATED 8-17-79. x
x x x x x x x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-634-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,855

WATER RIGHT NUMBER 400x-W-076945-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 13, 1951
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LDI_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY MEANS -----
01 NENESE 35 27N 30E VALLEY DAM

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----
01 ONSTREAM NENESE 35 27N 30E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LDI_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY -----
001 NENESE 35 27N 30E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* H 24

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,856

WATER RIGHT NUMBER 400 W-076945-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076944-00, W076945-00.

* 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. *
* * * * *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *
* RESERVOIR APPEARS WASHED OUT ON 1979 USDA AERIAL *
* PHOTOGRAPH NO. 179-180, DATED 6-17-79. *
* * * * *

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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,857

WATER RIGHT NUMBER 400X-V-076946-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DMRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY," UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

ELOW BAKE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SESESW	04	27N	39E	VALLEY		PIT

RESERVOIR:

LOI	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		ONSTREAM	SESESW	04	27N	39E	VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES	LOI	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SESESW	04	27N	39E	VALLEY	
002			NEHENW	09	27N	39E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* J 24

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,059

WATER RIGHT NUMBER 4001-W-076947-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .40 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 SESESW 04 27N 39E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM SESESW 04 27N 39E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESESW 04 27N 39E VALLEY
002 NENEW 09 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,860

WATER RIGHT NUMBER 400-V-075947-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076946-00, W076947-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 679, BOZEMAN MT 59711-0679.

03/31/95
PAGE 2,861

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076948-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1973
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.60 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 (GOVT) 4 NWNEW 04 27N 39E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM NWNEW 04 27N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 (GOVT) 4 NWNEW 04 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* N 24

03/31/85
PAGE 2,863

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076949-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1973
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 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	(G0UT)	4	NW	NW	04	27N	39E	VALLEY	PIT

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	DN	ST	RE	AM	04	27N 39E VALLEY

* **PLACE OF USE FOR STOCK:**

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001	(G0UT)	4	NW	NW	04	27N	39E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

09/31/95
PAGE 2,864

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-V-076949-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076948-00, W076949-00.

* 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
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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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 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,865

WATER RIGHT NUMBER 400 W-076950-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION 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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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRECEDENCE DATE: JUNE 30, 1973
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .60 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 NWSNW 09 27N 39E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM NWSNW 09 27N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSNW 09 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,866

WATER RIGHT NUMBER 400-W-076950-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076950-00, W076951-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
x
x
x
x
x
x
x
x

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FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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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 879, BOZEMAN MT 59771-0879.

03/31/95
PAGE 2,867

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076951-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW 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: .40 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		N	W	09	27N	39E	VALLEY PIT

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		N	W	09	27N	39E	VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001		N	W	09	27N	39E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,868

WATER RIGHT NUMBER 400-W-076951-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076950-00, W076951-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,869

WATER RIGHT NUMBER 400 W-076952-00

IMPORTANT NOTICE

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OWNER: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

- * PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED
- * FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

VOLUME: .40 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 NESESE 09 27N 39E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NESESE 09 27N 39E VALLEY
RESERVOIR/LAKE NAME: DIVIDE RETENTION RESERVOIR

- * PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NESESE 09 27N 39E VALLEY

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

* G 25

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,870

WATER RIGHT NUMBER 400-W-076952-00 (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.
W076952-00, W076953-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,871

WATER RIGHT NUMBER 400-W-076953-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESESE 09 27N 39E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM NESESE 09 27N 39E VALLEY
RESERVOIR/LAKE NAME: DIVIDE RETENTION RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOI BLK QTR SEC SEC TWP RGE COUNTY
001 NESESE 09 27N 39E VALLEY

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

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,872

WATER RIGHT NUMBER W-076953-00 (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.
W076952-00, W076953-00.

* 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. *
* * * * *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MDNT. 343 (1988) (THE BEAM LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
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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
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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 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,873

WATER RIGHT NUMBER 400 W-076954-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.60 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 NENESW 15 27N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NENESW 15 27N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT_BLK QTR SEC SEC TWP RGE COUNTY -----
001 NENESW 15 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/35
PAGE 2,675

WATER RIGHT NUMBER 400-W-076955-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .40 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			NENESW	15	27N	39E	VALLEY	DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	DNSTREAM		NENESW	15	27N	39E	VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				NENESW	15	27N	39E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* M 25

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,876

WATER RIGHT NUMBER 400-W-076955-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076954-00, W076955-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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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 1-406-566-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,877

WATERRIGHTNUMBER: 4003-W-076956-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA CDEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1969
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 1.18 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 NENESW 18 27N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM NENESW 18 27N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NENESW 18 27N 39E VALLEY

BE0000S:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK, INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

21/95
PAGE 2,878

WATER RIGHT NUMBER 400-W-076956-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREEES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076956-00, W076957-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x x x x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x x x x x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE RETRIEVED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,879

WATER RIGHT NUMBER 400 W-076957-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: DECEMBER 31, 1969
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .40 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 NENESW 18 27N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM NENESW 18 27N 39E VALLEY

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NENESW 18 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,880

WATER RIGHT NUMBER 400-W-076957-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076956-00, W076957-00.

: 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
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,881

WATER RIGHT NUMBER: 400-W-076958-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 24, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY	MEANS	
01		S	W	N	20	27N	39E	VALLEY	PIT

RESERVOIR:

	DIR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	S	W	N	20	27N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY
001				S	E	N	19	27N	39E VALLEY
002				S	W	N	20	27N	39E VALLEY

REMARKS:

THE LATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,882

WATER RIGHT NUMBER 400-W-076958-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076958-00, W076959-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x x x x x
x x x x x x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x x x x x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 873, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,889

WATER RIGHT NUMBER: 400-W-076959-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGED FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 24, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .40 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 SWNW 20 27N 39E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM SWNW 20 27N 39E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SENENE 19 27N 39E VALLEY
002 SWNW 20 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,884

WATER RIGHT NUMBER 400 - W-076959-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076959-00. W076959-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-524-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. - BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,885

WATER RIGHT NUMBER 400-4-076960-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

- * PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED
- * FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DOWNSTREAM RESERVOIR.

VOLUME: 1.60 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 SWNE 22 27N 39E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DOWNSTREAM SWNE 22 27N 39E VALLEY
RESERVOIR/LAKE NAME: WEST FORK RESERVOIR

- * PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWNE 22 27N 39E VALLEY

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95

PAGE 2,887

WATER RIGHT NUMBER 400-W-076961-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN QUESTION BY THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

VOLUME: .40 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 SWNE 22 27N 39E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWNE 22 27N 39E VALLEY

RESERVOIR/LAKE NAME: WEST FORK RESERVOIR

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWNE 22 27N 39E VALLEY

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

* J 26

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,888

WATER RIGHT NUMBER 400-1-076961-00 (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.
W076960-00, W076961-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P. O. BOX 679, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK, INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,889

WATER RIGHT NUMBER: 400-W-076962-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 30, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 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 NENWNE 27 27N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NENWNE 27 27N 39E VALLEY
THE DAM EXTENDS INTO THE SE5WSE SEC 22 TWP 27N RGE 39E
VALLEY COUNTY.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESWSE 22 27N 39E VALLEY
002 NENWNE 27 27N 39E VALLEY

REMARKS:

* L 26

03/31/95
PAGE 2,890

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400 W-076962-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076962-00, W076963-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 679, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,891

WATER RIGHT NUMBER: 400-W-076963-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 65-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 30, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 1.44 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 NENWNE 27 27N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM NENWNE 27 27N 39E VALLEY

THE DAM EXTENDS INTO SE5WSE SEC 22 TWP 27N RGE 39E
VALLEY COUNTY.

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SE5WSE 22 27N 39E VALLEY
002 NENWNE 27 27N 39E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,892

WATER RIGHT NUMBER 4001-W-076963-001 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE 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.
W076962-00, W076963-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x

x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,093

WATER RIGHT NUMBER 4002-V-076964-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 05-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF COYOTE CREEK
SOURCE TYPE: SURFACE WATER

ESTABLISH DATE: JULY 16, 1951
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .39 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 525E5E 30 27N 39E VALLEY DN

RESERVOIR:

----- WTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM 525E5E 30 27N 39E VALLEY

RESERVOIR/LAKE NAME: BLANCHARD RESERVOIR

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 525E5E 30 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 2,894

WATER RIGHT NUMBER 400-W-076964-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076964-00, W076968-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO
P.O. BOX 879, BODEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

02/31/95
PAGE 2,895

WATER RIGHT NUMBER 400-W-076965-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF COYOTE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 16, 1942
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 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	(GOUT)	4	SWSWSW	30	27N	39E	VALLEY		DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	SWSWSW	30	27N	39E	VALLEY	

RESERVOIR/LAKE NAME: UR-105 RESERVOIR

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001	(GOUT)	4	SWSWSW	30	27N	39E	VALLEY		

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* C 27

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,896

WATER RIGHT NUMBER 400-W-076965-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076965-00, W076966-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,897

WATER RIGHT NUMBER 400 - W-076966-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF COYOTE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 16, 1942
TYPE OF HISTORICAL RIGHT: USE

ELOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 1.79 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 (GOUT) 4 SWSWSW 30 27N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SWSWSW 30 27N 39E VALLEY

RESERVOIR/LAKE NAME: UR-105 RESERVOIR

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 (GOUT) 4 SWSWSW 30 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* E 27

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,898

WATER RIGHT NUMBER W-076966-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076965-00, W076966-00.

* 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. *
* * * * *

* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,899

WATER RIGHT NUMBER: 4001-W-076967-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF COYOTE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 17.20 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 S2NENW 30 27N 39E VALLEY DAM

RESERVOIR:

----- QTR, SEC, SEC. TWP, RGE, COUNTY -----

01 ONSTREAM S2NENW 30 27N 39E VALLEY
CAPACITY: 18.0 AC-FT DAM HEIGHT: 15.5 FT SURFACE AREA: 3.75 ACRES

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN
ESTIMATED BY THE DNRC.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT, BLK, QTR, SEC, SEC. TWP, RGE, COUNTY -----

001 NEWN 30 27N 39E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,900

WATER RIGHT NUMBER 4003-W-076967-001 (CONTINUED)

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. W076967-00, W076969-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x x x x

x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x x x x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

03/31/95
PAGE 2,903

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076968-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF COYOTE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 16, 1951
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 7.61 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 S2SESE 30 27N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM S2SESE 30 27N 39E VALLEY
RESERVOIR/LAKE NAME: BLANCHARD RESERVOIR

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 S2SESE 30 27N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,902

WATER RIGHT NUMBER 400-W-076968-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076964-00, W076968-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, 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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TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,903

WATER RIGHT NUMBER: 400-W-076969-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY," UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE. THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF COVOTE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 18, 1971
TYPE OF HISTORICAL RIGHT: FILED

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

VOLUME: .40 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 S2ENW 30 27N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM S2ENW 30 27N 39E VALLEY
CAPACITY: 18.0 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 3.75 ACRES

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY THE DNRC.

* PLACE OF USE EOB SIDCS:

----- ACRES ----- LOT_BLK QTR SEC SEC TWP RGE COUNTY -----

001 NENW 30 27N 39E VALLEY

SEDBBKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,904

WATER RIGHT NUMBER 400 W-076969-00 (CONTINUED)

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. WO76967-00, WO76969-00.

* 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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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,905

WATER RIGHT NUMBER 400-W-076970-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION 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: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 13, 1960
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QIB SEC SEC TWP RGE COUNTY MEANS
01 E2E5W 32 27N 39E VALLEY DAM

RESERVOIR:

QIB SEC SEC TWP RGE COUNTY
01 DNSTREAM E2E5W 32 27N 39E VALLEY

RESERVOIR/LAKE NAME: BLANCHARD DETENTION RESERVOIR
CAPACITY: 104.0 AC-FT DAM HEIGHT: 25 FT SURFACE AREA: ACRES

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QIB SEC SEC TWP RGE COUNTY
001 W2SW5E S2 27N 39E VALLEY
002 SESW 32 27N 39E VALLEY

REMARKS:

03/31/95
PAGE 2,906

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076970-00 (CONTINUED)

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076970-00, W076971-00, W076973-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER DELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,907

WATER RIGHT NUMBER 400-W-076971-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: SAGE HLN CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 13, 1960
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 51.61 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 _____ E2SESW 32 27N 39E VALLEY DAM

RESERVOIR:

_____ 073 SEC SEC TWP RGE COUNTY _____

01 ONSTREAM E2SESW 32 27N 39E VALLEY

RESERVOIR/LAKE NAME: BLANCHARD DETENTION RESERVOIR
CAPACITY: _____ 109.0 AC-ET DAM HEIGHT: 25.5 FT SURFACE AREA: _____ ACRES

* PLACE OF USE FOR WILDLIFE:

_____ ACRES _____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____

001 _____ W2SWSE 32 27N 39E VALLEY
002 _____ SE5W 32 27N 39E VALLEY

REMARKS:

* 0 27

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-V-076971-00 (CONTINUED)

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076970-00, W076971-00, W076973-00.

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.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

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PAGE 2,909

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400g-U-076972-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* **PRIORITY DATE:** SEPTEMBER 09, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 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			NE	SE	32	27N	39E	VALLEY PIT

RESERVOIR:

LOT	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM		NE	SE	32	27N 39E VALLEY

RESERVOIR/LAKE NAME: BALDY PIT

* **PLACE OF USE FOR STOCK:**

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001					SE	27N	39E	VALLEY	
002					NE	27N	39E	VALLEY	

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076972-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076972-00, W076974-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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PAGE 2,911

WATER RIGHT NUMBER 400-W-076973-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY" UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE. THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

* SOURCE: SAGE HEN CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 13, 1960
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 831.00 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 E26E5W 32 27N 39E VALLEY	DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM E26E5W 32 27N 39E VALLEY

RESERVOIR/LAKE NAME: BLANCHARD DETENTION RESERVOIR
CAPACITY: 109,000 AC-FI DAM HEIGHT: 25 FI SURFACE AREA: ACRES

* PLACE OF USE FOR FLOOD CONTROL:

ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001 W26W5E 32 27N 39E VALLEY	
002 SE5W 32 27N 39E VALLEY	

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,913

WATER RIGHT NUMBER 4001-W-076974-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY," UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE. THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: SEPTEMBER 09, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.41 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 NESEHW 32 27N 39E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NESEHW 32 27N 39E VALLEY

RESERVOIR/LAKE NAME: BALDY PIT

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 S2NEHW 3P 27N 39E VALLEY
002 N2SEHW 32 27N 39E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,915

WATER RIGHT NUMBER 400-W-076975-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY," UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JANUARY 31, 1973
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .40 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		W2	NESW	33	27N	39E	VALLEY	DAM/PIT

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		DNSTREAM	W2	NESW	33	27N	39E VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			W2	NESW	33	27N	39E VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUFINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,916

WATER RIGHT NUMBER 400 W-076975-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076975-00, W076976-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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PAGE 2,917

WATER RIGHT NUMBER 400-U-076976-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JANUARY 31, 1973
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 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		W2	NE	SW	33	27	N 39E	VALLEY DAN/PIT

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY	
01 ONSTREAM	W2	NE	SW	33	27	N 39E	VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
001			W2	NE	SW	33	27	N 39E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,918

WATER RIGHT NUMBER 14001-W-076976-001 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076975-00, W076976-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 294 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
x
x
x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, 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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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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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 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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PAGE 2,919

WATER RIGHT NUMBER: 400g-W-076977-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JANUARY 12, 1959
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 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 SESWNW 34 27N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SESWNW 34 27N 39E VALLEY

THE DAM EXTENDS INTO THE SWSNW SEC 34 TWP 27N RGE 39E
VALLEY COUNTY.

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWSNW 34 27N 39E VALLEY
002 SESWNW 34 27N 39E VALLEY

REMARKS:

WATER RIGHT NO.

WATER RIGHT NO.

WATER RIGHT NO.

076768	A 01	076795	J 04	076822	D 08
076768	B 01	076795	K 04	076822	E 08
076769	C 01	076796	L 04	076823	F 08
076769	D 01	076796	M 04	076823	G 08
076770	E 01	076797	N 04	076824	H 08
076770	F 01	076797	O 04	076824	I 08
076771	G 01	076798	A 05	076825	J 08
076771	H 01	076798	B 05	076825	K 08
076772	I 01	076799	C 05	076826	L 08
076772	J 01	076799	D 05	076826	M 08
076773	K 01	076800	E 05	076827	N 08
076773	L 01	076800	F 05	076827	O 08
076774	M 01	076801	G 05	076828	A 09
076774	N 01	076801	H 05	076828	B 09
076775	O 01	076802	I 05	076829	C 09
076775	A 02	076802	J 05	076829	D 09
076776	B 02	076803	K 05	076830	E 09
076776	C 02	076803	L 05	076830	F 09
076777	D 02	076804	M 05	076831	G 09
076777	E 02	076804	N 05	076831	H 09
076778	F 02	076805	O 05	076832	I 09
076778	G 02	076805	A 06	076832	J 09
076779	H 02	076806	B 06	076833	K 09
076779	I 02	076806	C 06	076833	L 09
076780	J 02	076807	D 06	076834	M 09
076780	K 02	076807	E 06	076834	N 09
076781	L 02	076808	F 06	076835	D 09
076781	M 02	076808	G 06	076835	A 10
076782	N 02	076809	H 06	076836	B 10
076782	O 02	076809	I 06	076836	C 10
076783	A 03	076810	J 06	076837	D 10
076783	B 03	076810	K 06	076837	E 10
076784	C 03	076811	L 06	076838	F 10
076784	D 03	076811	M 06	076838	G 10
076785	E 03	076812	N 06	076839	H 10
076785	F 03	076812	O 06	076839	I 10
076786	G 03	076813	A 07	076840	J 10
076786	H 03	076813	B 07	076840	K 10
076787	I 03	076814	C 07	076841	L 10
076787	J 03	076814	D 07	076841	M 10
076788	K 03	076815	E 07	076842	N 10
076788	L 03	076815	F 07	076842	O 10
076789	M 03	076816	G 07	076843	A 11
076789	N 03	076816	H 07	076843	B 11
076790	O 03	076817	I 07	076844	C 11
076790	A 04	076817	J 07	076844	D 11
076791	B 04	076818	K 07	076845	E 11
076791	C 04	076818	L 07	076845	F 11
076792	D 04	076819	M 07	076846	G 11
076792	E 04	076819	N 07	076846	H 11
076793	F 04	076820	O 07	076847	I 11
076793	G 04	076820	A 08	076847	J 11
076794	H 04	076821	B 08	076848	K 11
076794	I 04	076821	C 08	076848	L 11

JSEQ=0007 BSEQ=0007 J5706021

WATER RIGHT NO.		WATER RIGHT NO.		WATER RIGHT NO.	
076849	M 11	076876	G 15	076904	A 19
076849	N 11	076876	H 15	076904	B 19
076850	O 11	076877	I 15	076905	C 19
076850	A 12	076877	J 15	076905	D 19
076851	B 12	076878	K 15	076906	E 19
076851	C 12	076878	L 15	076906	F 19
076852	D 12	076879	M 15	076907	G 19
076852	E 12	076879	N 15	076907	H 19
076853	F 12	076880	O 15	076908	I 19
076853	G 12	076880	A 16	076908	J 19
076854	H 12	076881	B 16	076909	K 19
076854	I 12	076881	C 16	076909	L 19
076855	J 12	076882	D 16	076910	M 19
076855	K 12	076882	E 16	076910	N 19
076856	L 12	076883	F 16	076911	O 19
076856	M 12	076883	G 16	076911	A 20
076857	N 12	076884	H 16	076912	B 20
076857	O 12	076884	I 16	076912	C 20
076858	A 13	076885	J 16	076913	D 20
076858	B 13	076885	K 16	076913	E 20
076859	C 13	076886	L 16	076914	F 20
076859	D 13	076886	M 16	076914	G 20
076860	E 13	076887	N 16	076915	H 20
076860	F 13	076887	O 16	076915	I 20
076861	G 13	076888	A 17	076916	J 20
076861	H 13	076888	B 17	076916	K 20
076862	I 13	076889	C 17	076917	L 20
076862	J 13	076889	D 17	076917	M 20
076863	K 13	076890	E 17	076918	N 20
076863	L 13	076891	F 17	076918	O 20
076864	M 13	076892	G 17	076919	A 21
076864	N 13	076892	H 17	076919	B 21
076865	O 13	076893	I 17	076920	C 21
076865	A 14	076893	J 17	076920	D 21
076866	B 14	076894	K 17	076921	E 21
076866	C 14	076894	L 17	076921	F 21
076867	D 14	076895	M 17	076922	G 21
076867	E 14	076895	N 17	076922	H 21
076868	F 14	076896	O 17	076923	I 21
076868	G 14	076896	A 18	076923	J 21
076869	H 14	076897	B 18	076924	K 21
076869	I 14	076897	C 18	076924	L 21
076870	J 14	076898	D 18	076925	M 21
076870	K 14	076898	E 18	076925	N 21
076871	L 14	076899	F 18	076926	O 21
076871	M 14	076899	G 18	076926	A 22
076872	N 14	076900	H 18	076927	B 22
076872	O 14	076900	I 18	076927	C 22
076873	A 15	076901	J 18	076928	D 22
076873	B 15	076901	K 18	076928	E 22
076874	C 15	076902	L 18	076929	F 22
076874	D 15	076902	M 18	076929	G 22
076875	E 15	076903	N 18	076930	H 22
076875	F 15	076903	O 18	076930	I 22

JSEQ=0007 BSEQ=0007 J5706021

WATER RIGHT NO.

076931 J 22
 076931 K 22
 076932 L 22
 076932 M 22
 076933 N 22
 076933 O 22
 076934 A 23
 076934 B 23
 076935 C 23
 076935 D 23
 076936 E 23
 076936 F 23
 076937 G 23
 076937 H 23
 076938 I 23
 076938 J 23
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 076943 D 24
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 076945 H 24
 076945 I 24
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 076946 K 24
 076947 L 24
 076947 M 24
 076948 N 24
 076948 O 24
 076949 A 25
 076949 B 25
 076950 C 25
 076950 D 25
 076951 E 25
 076951 F 25
 076952 G 25
 076952 H 25
 076953 I 25
 076953 J 25
 076954 K 25
 076954 L 25
 076955 M 25
 076955 N 25
 076956 O 26
 076956 A 26
 076957 B 26
 076957 C 26

WATER RIGHT NO.

076958 D 26
 076958 E 26
 076959 F 26
 076959 G 26
 076960 H 26
 076960 I 26
 076961 J 26
 076961 K 26
 076962 L 26
 076962 M 26
 076963 N 26
 076963 O 26
 076964 A 27
 076964 B 27
 076965 C 27
 076965 D 27
 076966 E 27
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 076967 G 27
 076967 H 27
 076968 I 27
 076968 J 27
 076969 K 27
 076969 L 27
 076970 M 27
 076970 N 27
 076971 O 27
 076971 A 28
 076972 B 28
 076972 C 28
 076973 D 28
 076973 E 28
 076974 F 28
 076974 G 28
 076975 H 28
 076975 I 28
 076976 J 28
 076976 K 28
 076977 L 28

WATER RIGHT NO.

076958 D 26
 076958 E 26
 076959 F 26
 076959 G 26
 076960 H 26
 076960 I 26
 076961 J 26
 076961 K 26
 076962 L 26
 076962 M 26
 076963 N 26
 076963 O 26
 076964 A 27
 076964 B 27
 076965 C 27
 076965 D 27
 076966 E 27
 076966 F 27
 076967 G 27
 076967 H 27
 076968 I 27
 076968 J 27
 076969 K 27
 076969 L 27
 076970 M 27
 076970 N 27
 076971 O 27
 076971 A 28
 076972 B 28
 076972 C 28
 076973 D 28
 076973 E 28
 076974 F 28
 076974 G 28
 076975 H 28
 076975 I 28
 076976 J 28
 076976 K 28
 076977 L 28

JSEQ=0007 BSEQ=0007 J5706021

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PAGE 2,920

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-V-076977-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076977-00, W076978-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

* A 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITewater CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,921

WATER RIGHT NUMBER: 400-V-076978-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY," UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WILLOW CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JANUARY 12, 1959
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.11 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		SE	SW	34	27N	39E	VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		ON	STREAM	SE	SW	34	27N 39E VALLEY

THE DAM EXTENDS INTO SWSNW SEC 34 TWP 27N RGE 39E VALLEY COUNTY.

* PLACE OF USE EOB WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SWSNW	34	27N	39E	VALLEY
002				SESWW	34	27N	39E	VALLEY

REMARKS:

* B 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,922

WATER RIGHT NUMBER 4001-V-076978-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076977-00, W076978-00.

* 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. *
* * * * *

* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

* C 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,923

WATER RIGHT NUMBER: 400-0-076979-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

PRIORITY DATE: AUGUST 15, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 3.01 GPM

VOLUME: 4.44 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
01 NENE 35 27N 39E VALLEY

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NENE 35 27N 39E VALLEY

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076979-00, W076980-00.

* D 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,924

WATER RIGHT NUMBER 400-W-076979-00 (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 POINT OF DIVERSION AND PLACE OF USE LEGAL LAND *
* DESCRIPTION COULD NOT BE REFINED TO A 10 ACRE *
* DESCRIPTION FROM INFORMATION IN THE CLAIM FILE. *
* * * * *

* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

* VOLUME MAY BE EXCESSIVE. BASED ON THE FLOW RATE AND *
* PERIOD OF USE, THE SYSTEM WOULD HAVE TO RUN 21.9 *
* HOURS PER DAY TO DELIVER THE CLAIMED VOLUME. NO *
* INFORMATION EXISTS IN THE CLAIM FILE TO CONFIRM THIS *
* FIGURE. *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES ON CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-596-4364, OR BY WRITING TO P. O. BOX 879, BOZEMAN MT 59771-0879.

* E 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2.925

WATER₂RIGHT₂NUMBER₂400₂-W-076980-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

PRIORITY DATE: AUGUST 15, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 3.01 GPM

* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIUELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE 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 NENE 35 27N 39E VALLEY

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 NENE 35 27N 39E VALLEY

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

* F 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,926

WATER₂RIGHT₂NUMBER₂400₂-W-076980-00₂(CONTINUED)

REMARKS CONTINUED:

W076979-00, W076980-00.

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*****
x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS      x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN  x
x UNRESOLVED IF NO OBJECTIONS ARE FILED.                          x
x                                                                    x
x                                                                    x
x                                                                    x
x THE POINT OF DIVERSION AND PLACE OF USE LEGAL LAND              x
x DESCRIPTION COULD NOT BE REFINED TO A 10 ACRE                   x
x DESCRIPTION FROM INFORMATION IN THE CLAIM FILE.                 x
x                                                                    x
x                                                                    x
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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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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,927

WATER RIGHT NUMBER 400-W-076981-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

* PRIORITY DATE: DECEMBER 31, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 2.96 GPM

VOLUME: 4.18 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

01 SESEW 13 27N 40E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SESEW 13 27N 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076981-00, W076982-00.

* H 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,928

WATER RIGHT NUMBER 400-W-076981-00 (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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *
* VOLUME MAY BE EXCESSIVE. BASED ON THE FLOW RATE AND *
* PERIOD OF USE, THE SYSTEM WOULD HAVE TO RUN 20.1 *
* HOURS PER DAY TO DELIVER THE CLAIMED VOLUME. NO *
* INFORMATION EXISTS IN THE CLAIM FILE TO CONFIRM THIS *
* FIGURE. *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

* I 01

03/31/95
PAGE 2,929

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 400; W-076982-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

* PRIORITY DATE: DECEMBER 31, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 2.96 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 SESENW 13 27N 40E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SESENW 13 27N 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,930

WATERRIGHT#NUMBER#400#-W-076982-00#(CONTINUED)

REMARKS CONTINUED:

W076981-00, W076982-00.

* 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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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,931

WATER RIGHT NUMBER 400-W-076983-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 30, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 2.60 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 NWNE 25 28N 35E VALLEY DAN

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM NWNE 25 28N 35E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NWNE 25 28N 35E WPAVEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,932

WATER RIGHT NUMBER 400 W-076983-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. PARTHER IT DECREEES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076983-00, W076984-00.

* 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. *
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* THERE IS A QUESTION AS TO THE URALIDTY OF THIS *
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* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
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* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
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P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,933

WATER RIGHT NUMBER 400X-W-076984-00

IMPORTANT NOTICE

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 30, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .40 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 NWNE 25 28N 35E VALLEY	DAM

RESERVOIR:

LOT BLK QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM NWNE 25 28N 35E VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001	NWNE 25 28N 35E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,934

WATER RIGHT NUMBER 400-W-076984-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076983-00, W076984-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

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P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,935

WATER RIGHT NUMBER 400-W-076985-00

IMPORTANT NOTICE

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 12, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 19.40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		NESENE	26	28N	35E	VALLEY	DAM	

RESERVOIR:

	DIR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	NESENE	26	28N	35E	VALLEY

RESERVOIR/LAKE NAME: EDNA RETENTION RESERVOIR
CAPACITY: 20.0 AC-EI DAM HEIGHT: 15.0 FT SURFACE AREA: 4.00 ACBES

THE DAM EXTENDS INTO THE SENENE SEC 26 TWP 28N RGE 35E
VALLEY COUNTY.

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

THE SURFACE AREA AND DAM HEIGHT HAVE BEEN ESTIMATED
BY DNRC.

* PLACE OF USE FOR WILDLIFE:

* A 02

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400X-W-076985-00X (CONTINUED)

PLACE OF USE CONTINUED:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001					S2	NENE	26	28N	35E VALLEY
002					N2	SENE	26	28N	35E VALLEY

REMARKS:

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W076985-00, W076986-00.

 * 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. *
 * * * * *
 * * * * *
 * THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
 * CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
 * AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
 * MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
 * THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
 * RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
 * WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
 * * * * *
 * * * * *

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,937

WATER RIGHT NUMBER 4002-W-076986-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 12, 1963
TYPE OF HISTORICAL RIGHT: USE

ELOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .40 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 NESENE 26 28N 35E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM NESENE 26 28N 35E VALLEY

RESERVOIR/LAKE NAME: EDNA RETENTION RESERVOIR
CAPACITY: 27.0 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 4.00 ACRES

THE DAM EXTENDS INTO THE NESENE SEC 26 TWP 28N RGE 35E
VALLEY COUNTY

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

THE SURFACE AREA AND DAM HEIGHT HAVE BEEN ESTIMATED
BY DNRC.

* PLACE DE USE EQB SIDCK:

* C 02

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,938

WATER RIGHT NUMBER 400-W-076986-00 (CONTINUED)

PLACE OF USE CONTINUED:

ACRES	LOT	BLK	QTR	SEC	5	TWP	RGE	COUNTY
001				26	28N	35E		VALLEY
002				26	28N	35E		VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W076986-00, W076986-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

* D 02

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,939

WATER RIGHT NUMBER 4002-W-076987-00

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 19, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DEC'ED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.88 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		N	28	N	01	28	N	VALLEY DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
		N	28	N	01	28	N

U: ONSTREAM NENESW 01 28N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001		N	28	N	01	28	N

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* E 02

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,940

WATER RIGHT NUMBER 400-W-076987-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076987-00, W076988-00.

* 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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

* F 02

03/31/95
PAGE 2,941

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 400g-W-076988-00

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* **SOURCE:** UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 19, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* **POINT OF DIVERSION AND MEANS OF DIVERSION:**

LDI	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01							NEMESW 01 28N 36E VALLEY	DAM

RESERVOIR:

QTR	SEC	SEC	TWP	RGE	COUNTY	
01						DNSTREAM NEMESW 01 28N 36E VALLEY

* **PLACE OF USE FOR STOCK:**

ACRES	LDI	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
001									N24ESW 01 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* G 02

03/31/95
PAGE 2,942

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 400-V-076988-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W076987-00, W076988-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

* H 02

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,943

WATER RIGHT NUMBER: 4002-W-076989-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1969
TYPE OF HISTORICAL RIGHT: USE

ELDW_BAIE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 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 NWSENE 01 28N 36E VALLEY DAM

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----
01 ONSTREAM NWSENE 01 28N 36E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT_BLK QTR_SEC_SEC_TWP_RGE_COUNTY -----
001 NWSENE 01 28N 36E VALLEY

REMARKS:

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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* I 02

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,944

WATERRIGHTNUMBER:400-W-076989-00(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076989-00, W076990-00.

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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITewater CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,946

WATER RIGHT NUMBER 4001-V-076990-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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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DNRC'S: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE(USE): WILDLIFE

- * SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER
- * PRIORITY DATE: DECEMBER 31, 1969
TYPE OF HISTORICAL RIGHT: USE
- FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.63 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

_____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____ BEANS _____
01 NWSENE 01 28N 36E VALLEY DN

RESERVOIR:

_____ QTR SEC SEC TWP RGE COUNTY _____
01 ONSTREAM NWSENE 01 28N 36E VALLEY

- * PLACE OF USE FOR WILDLIFE:

_____ ACRES _____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____
001 NWSENE 01 28N 36E VALLEY

REMARKS:

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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* K 02

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,946

WATER RIGHT NUMBER 400-M-076990-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076989-00, W076990-00.

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* * * * *

* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
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* AREA, 234 MONT. 343 (1908) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
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* L 02

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,947

WATER RIGHT NUMBER 400-W-076991-00

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 08, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RAIF: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.38 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	(GOVT)	2		NE	02	28N	36E	VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM		NE	02	28N	36E VALLEY

THE DAM EXTENDS INTO THE SWSESW SEC 34 TWP 29N RGE 36E
VALLEY COUNTY.

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001					NE	02	28N	36E	VALLEY
002		(GOVT)	2		SWSESW	34	29N	36E	VALLEY

REMARKS:

* M 02

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,948

WATER RIGHT NUMBER 400 W-076991-00 (CONTINUED)

REMARKS CONTINUED:

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W076991-00, W076992-00.

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* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
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* * * * *
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* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
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* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA DNLV) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

* N 02

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,949

WATER RIGHT NUMBER 4002-W-076992-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 08, 1966
TYPE OF HISTORICAL RIGHT: FILED

ELOW BASE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 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 (GOUT) 2 NE 02 28N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM NE 02 28N 36E VALLEY

THE DAM EXTENDS INTO THE SWSSEW SEC 34 TWP 29N RGE 36E
VALLEY COUNTY.

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 (GOUT) 2 NE 02 28N 36E VALLEY
002 SWSSEW 34 29N 36E VALLEY

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,950

WATER RIGHT NUMBER 400-W-076992-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076991-00, W076992-00.

* 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
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

* A 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,951

WATER:RIGHT:NUMBER:400:W-076993-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 24, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 9.61 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	(GOUT)	4		NW	02	28N	36E	VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM			NW	02	28N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	TWP	RGE	COUNTY
001	(GOUT)	4		NW	02	28N	36E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* B 03

03/31/95
PAGE 2,953

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-076994-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 24, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 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	(GOVT)	4		NW	02	28N	36E	VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
01	ONSTREAM			NW	02	28N	36E	VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001	(GOVT)	4		NW	02	28N	36E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* D 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,954

WATER RIGHT NUMBER 400-W-076994-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076993-00, W076994-00.

* 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
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,955

WATER RIGHT NUMBER: 4001-W-076995-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF HARDPAN COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 19, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- DEAMS -----
01 (GOUT) 3 NW 05 28N 36E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NW 05 28N 36E VALLEY

* PLACE OF USE ED? STOCK:

--- ACRES --- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 (GOUT) 3 NW 05 28N 36E VALLEY

REDBBS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,956

WATER RIGHT NUMBER 400-W-076995-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076995-00, W076996-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,957

WATER RIGHT NUMBER 4002-W-076996-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF HARDPAN COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 19, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THE DOWNSTREAM RESERVOIR.

VOLUME: 2.60 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 (GOUT) 3 NW 05 28N 36E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
G1 DOWNSTREAM NW 05 28N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 (GOUT) 3 NW 05 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* H 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,958

WATER RIGHT NUMBER 400g-W-076996-00g (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076995-00, W076996-00.

* 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. *
* * * * *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, 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 IN _____ IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND _____ OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
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P.O. BOX 879, BOZEMAN MT 59771-0879.

03/31/95
PAGE 2,959

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 4002-V-076997-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 01, 1942
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 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	(GOVT)	15		SW	07	28N	36E	VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM		SW	07	28N	36E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001	(GOVT)	15		SW	07	28N	36E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* J 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,960

WATER RIGHT NUMBER 400 W-076997-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076997-00, W076998-00.

* 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
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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P.O. BOX 879, BOZEMAN MT 59771-0879.

* K 03

PRELIMINARY DECREE
MILK RIVER, BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,961

WATER RIGHT NUMBER 400-W-076998-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 01, 1942
TYPE OF HISTORICAL RIGHT: USE

ELDW. DATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 9.46 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 (GOVT) 15 SW 07 28N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SW 07 28N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 (GOVT) 15 SW 07 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,962

WATER RIGHT NUMBER W-076998-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076997-00, W076998-00.

* 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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,963

WATER RIGHT NUMBER 400-W-076999-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36000
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

- * SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER
- PRIORITY DATE: JULY 13, 1963
TYPE OF HISTORICAL RIGHT: USE
- * FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 1.61 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 SENWSE 10 28N 36E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SENWSE 10 28N 36E VALLEY

- * PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SENWSE 10 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PAGE 2,964

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400g-V-076999-00g (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076999-00, W077000-00.

* 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. *
* * * * *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, 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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PAGE 2,965

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-077000-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF BRAYL CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 13, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LDI	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01							SENWSE 10 28N 36E VALLEY	PIT

RESERVOIR:

QTR	SEC	SEC	TWP	RGE	COUNTY	
01						DNSTREAM SENWSE 10 28N 36E VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001								SENWSE 10 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,966

WATER RIGHT NUMBER 400-W-07700-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W076999-00, W077000-00.

* THE DMRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,967

WATER RIGHT NUMBER: 4002-V-077001-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 08, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 4.60 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 MENWNE 11 28N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM MENWNE 11 28N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 MENWNE 11 28N 36E VALLEY

REDBBKS:

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,968

WATER RIGHT NUMBER 400-4-077001-00 (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.
W077001-00, W077002-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE ARE *
* QUESTIONABLE. DOCUMENTATION TO SUPPORT THE TYPE OF *
* HISTORICAL RIGHT AND PRIORITY DATE WERE NOT SUBMITTED *
* WITH THIS CLAIM. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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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 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,969

WATER RIGHT NUMBER 4002-V-077002-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND NGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 08, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 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 MENWNE 11 28N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM MENWNE 11 28N 36E VALLEY

* PLACE OF USE FOR STOCK:

--- ACRES --- LOT BLK QTR SEC SEC TWP RGE COUNTY
001 MENWNE 11 28N 36E VALLEY

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,970

WATER RIGHT NUMBER 400g-W-077002-00g (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.
W077001-00, W077002-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x x x x x
x THE TYPE OF HISTORICAL RIGHT AND PRIORITY DATE ARE x
x QUESTIONABLE. DOCUMENTATION TO SUPPORT THE TYPE OF x
x HISTORICAL RIGHT AND PRIORITY DATE WERE NOT SUBMITTED x
x WITH THIS CLAIM. x
x x x x x x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, 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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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
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P. O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASF# 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95

PAGE 2,971

WATER\$RIGHT\$NUMBER\$400\$-W-077003-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1940
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY ----- BEANS -----
01 NWSEW 11 28N 36E VALLEY DAM

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----
01 ONSTREAM NWSEW 11 28N 36E VALLEY

* PLACE OF USE FOR STOCKS:

----- ACRES ----- LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY -----
001 NWSEW 11 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,972

WATER RIGHT NUMBER 400-W-077003-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077003-00, W077004-00.

* 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
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TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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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 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,973

WATER RIGHT NUMBER: 400-W-077004-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1940
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 4.60 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 NWSEW 11 28N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM NWSEW 11 28N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 NWSEW 11 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* I 04

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,974

WATER RIGHT NUMBER 400 - W-077004-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077003-00, W077004-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X X X X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X X X X X X

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,975

WATER RIGHT NUMBER 400 W-077005-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 3.38 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 MNWENE 12 28N 36E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM MNWENE 12 28N 36E VALLEY

RESERVOIR/LAKE NAME: AMITA RETENTION RESERVOIR

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 MNWENE 12 28N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* K 04

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,977

WATER RIGHT NUMBER 400 W-077006-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK	AIR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01						WYNNE 12 28N 36E VALLEY	PIT

RESERVOIR:

	AIR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM						WYNNE 12 28N 36E VALLEY

RESERVOIR/LAKE NAME: ANITA RETENTION RESERVOIR

* PLACE OF USE EDR SIDCK:

ACRES	LOT	BLK	AIR	SEC	SEC	TWP	RGE	COUNTY
001								WYNNE 12 28N 36E VALLEY

REMARKS:

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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* M 04

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,979

WATER RIGHT NUMBER 400-W-077006-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077005-00, W077006-00.

* 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
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1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

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03/31/95
PAGE 2,979

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-077007-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 07, 1968
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 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 SENW 13 28N 36E VALLEY Df=I

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SENW 13 28N 36E VALLEY

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SENW 13 28N 36E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,981

WATER RIGHT NUMBER: 400-V-077008-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 07, 1968
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 3.60 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 SENW 13 28N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM SENW 13 28N 36E VALLEY

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SENW 13 28N 36E VALLEY

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,982

WATER RIGHT NUMBER 400-W-077008-00 (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.
W077007-00, W077008-00.

* 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. *
* * * * *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *
* EXISTENCE OF THE CLAIMED RESERVOIR CANNOT BE *
* CONFIRMED WITH AVAILABLE DATA. *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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P. O. BOX 879, BOZEMAN MT 59711-0879.

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03/31/95
PAGE 2,983

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PO'CUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 4002-V-077009-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: POT HOLE COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 22, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 1.60 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			SWSNW	17	28N	36E	VALLEY		PIT

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01 DNSTREAM	SWSNW	17	28N	36E	VALLEY	

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SWSNW	17	28N	36E	VALLEY	
002				SESENE	18	28N	36E	VALLEY	

REMARKS:

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RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

* D 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,984

WATER RIGHT NUMBER 400g-W-077009-00g (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.
W077009-00, W077010-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x *****

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,985

WATER RIGHT NUMBER: 4002-W-077010-00

IMPORTANT NOTICE

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: POT HOLE COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 22, 1967
TYPE OF HISTORICAL RIGHT: USE

ELDW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND BEAMS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	BEAMS
01			SWSNW	17	28N	36E	VALLEY		PIT

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01 DNSTREAM	SWSNW	17	28N	36E	VALLEY	

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001							SESENE	17	28N 36E VALLEY
002							SWSNW	17	28N 36E VALLEY

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

* F 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,986

WATER RIGHT NUMBER 400-W-077010-00 (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.
M077009-00, M077010-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,987

WATER RIGHT NUMBER 400-11-077011-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIIBUTARY OF BRAZIL CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 04, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 11.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT_BLK AIR_SEC_SEC_TWP_RGE_COUNTY ----- MEANS -----
01 (GOVT) 14 SW 18 28N 36E VALLEY DAM

RESERVOIR:

----- AIR_SEC_SEC_TWP_RGE_COUNTY -----
01 DNSTREAM SW 18 28N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT_BLK AIR_SEC_SEC_TWP_RGE_COUNTY -----
001 (GOVT) 14 SW 18 28N 36E VALLEY

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

* H 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITENATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,989

WATER RIGHT NUMBER: 4002-V-07012-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 04, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .39 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 (GOVT) 14 SW 18 28N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SW 18 28N 36E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 (GOVT) 14 SW 18 28N 36E VALLEY

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

* J 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,990

WATER RIGHT NUMBER: 400-W-077012-00 (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.
W077011-00, W077012-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,991

WATER RIGHT NUMBER 4002-V-077013-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 20, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			S	W	N	W	36	E VALLEY	DAM

RESERVOIR:

	DIR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	S	W	N	W	36 E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY
001							N	W	36 E VALLEY

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,992

WATER RIGHT NUMBER 400-V-077013-00 (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.
W077013-00, W077014-00.

* THE DMRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,993

WATER RIGHT NUMBER 400-W-077014-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 20, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 2.60 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 SWNWSE 19 28N 36E VALLEY DN

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM SWNWSE 19 28N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

--- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 NWSE 19 28N 36E VALLEY

REDBBS:

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITENATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95

PAGE 2,995

WATER RIGHT NUMBER 4002-W-07015-CO

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. (*) AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 06, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: J MARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- 101 BLK QTR SEC SEC TWP RGE COUNTY MEANS -----
01 WSENE 23 28N 36E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM WSENE 23 28N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- 101 BLK QTR SEC SEC TWP RGE COUNTY -----
001 WSENE 23 28N 36E VALLEY

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,997

WATER RIGHT NUMBER 4002-W-077016-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36600
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 06, 1967
TYPE OF HISTORICAL RIGHT: USE

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 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				NWSENE	23	28N	36E	VALLEY	PIT

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
01				NWSENE	23	28N	36E	VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				NWSENE	23	28N	36E	VALLEY

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

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03/31/95
PAGE 2,998

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-M-077016-00 (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.
M077015-00, M077016-00.

: THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-2270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,999

WATER RIGHT NUMBER: 4001-W-077017-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

SOURCE: BRAZIL CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 24, 1936
TYPE OF HISTORICAL RIGHT: USE

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DNSTREAM RESERVOIR.

VOLUME: 1,230.00 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 52SW 23 28N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM 52SW 23 28N 36E VALLEY

RESERVOIR/LAKE NAME: UR-2 RESERVOIR
CAPACITY: 1880.0 AC-FT DAM HEIGHT: 22 FT SURFACE AREA: ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR FLOOD CONTROL:

ACRES LOT_BLK QTR SEC SEC TWP RGE COUNTY

001 52S25W 14 28N 36E VALLEY
002 E2E2 23 28N 36E VALLEY
003 W2 23 28N 36E VALLEY

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,000

WATER RIGHT NUMBER 4002-W-077017-002 (CONTINUED)

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077017-00, W077018-00, W077019-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL *
* USE OF WATER EXISTING PRIOR TO JULY 1, 1973. *
* * * * *
* THE USE OF THIS WATER APPEARS TO BE LARGELY *
* NON-CONSUMPTIVE. *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE 03/31/95
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK PAGE 3,001
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER:RIGHT:NUMBER:400:W-077018-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: BRAZIL CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 24, 1936
TYPE OF HISTORICAL RIGHT: USE

* ELDW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 499.60 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 52SW 23 28N 36E VALLEY DAM

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----
01 ONSTREAM 52SW 23 28N 36E VALLEY

RESERVOIR LAKE NAME: UR-2 RESERVOIR
CAPACITY: 1800.0 AC-FT DAM HEIGHT: 22.51 SURFACE AREA: ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY -----
001 52S25W 14 28N 36E VALLEY
002 E2E2 23 28N 36E VALLEY
003 W2 23 28N 36E VALLEY
* G 06

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

5/31/95
PAGE 3,002

WATER RIGHT NUMBER 4003-W-077018-002 (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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077017-00, W077018-00, W077019-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1908) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59717-0879.

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03/31/95
PAGE 3,003

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 400 - W-077019-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: BRAZIL CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 24, 1936
TYPE OF HISTORICAL RIGHT: USE

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

VOLUME: .40 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 525W 23 28N 36E VALLEY DAM

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----

01 ONSTREAM 525W 23 28N 36E VALLEY

RESERVOIR/LAKE NAME: UR-2 RESERVOIR
CAPACITY: 1980,000-GAL DAM HEIGHT: 22-FT SURFACE AREA: ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY -----

001		52525W	14	28N	36E	VALLEY
002		E2E2	23	28N	36E	VALLEY
003		W2	23	28N	36E	VALLEY

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,004

WATER RIGHT NUMBER 4002-W-077019-002 (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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077017-00, W077018-00, W077019-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-C879.

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PRELIMINARY DECREE
MILA RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,005

WATER RIGHT NUMBER 400X-W-077020-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 08, 1967
TYPE OF HISTORICAL RIGHT: USE

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEAS

01 SWSENE 24 28N 36E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SWSENE 24 28N 36E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWSENE 24 28N 36E VALLEY

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400

03/31/95
PAGE 3,006

ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 4002-W-077020-002 (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.
W077020-00, W077021-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCLUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,007

WATER RIGHT NUMBER 4002-W-077021-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 08, 1967
TYPE OF HISTORICAL RIGHT: USE

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS DOWNSTREAM RESERVOIR.

VOLUME: 1.60 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 SWSENE 24 28N 36E VALLEY PIT

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----
01 DOWNSTREAM SWSENE 24 28N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY -----
001 SWSENE 24 28N 36E VALLEY

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,008

WATER₂RIGHT₂NUMBER₂400₂-W-077021-00₂(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.
W077020-00, W077021-00.

* 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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, 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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TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,009

WATERRIGHTNUMBER: 4001-W-077022-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR APPEALED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 03, 1967
TYPE OF HISTORICAL RIGHT: USE

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 cfs

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 SWSE 28 28N 36E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWSE 28 28N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWSE 28 28N 36E VALLEY

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

* 0 06

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 4C3
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,010

WATER RIGHT NUMBER 4002-V-077022-002 (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.
W077022-00, W077023-00.

* 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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 294 MONT. 343 (1908) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
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OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANCES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,011

WATER RIGHT NUMBER 400-W-077023-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 03, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .40 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				S	W	28	28N	36E VALLEY	PIT

RESERVOIR:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01				S	W	28	28N	36E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				S	W	28	28N	36E VALLEY	

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

* B 07

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,012

WATER RIGHT NUMBER W-077023-00 (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.
W077022-00, W077023-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,013

WATER RIGHT NUMBER 400 W-077024-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 04, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .40 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			NNNNW	28	28N	36E	VALLEY	PIT

RESERVOIR:

LOT	DNSTREAM	QTR	SEC	SEC	TWP	RGE	COUNTY
01			NNNNW	28	28N	36E	VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			NNNNW	28	28N	36E	VALLEY	

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,014

WATER RIGHT NUMBER 400-W-077024-00 (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.
W077024-00, W077025-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,015

WATER RIGHT NUMBER 400g-W-077025-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR ATTEMDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 04, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 2.60 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		N	N	N	28	28N	36E	VALLEY	PIT

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
01		DNSTREAM		N	N	N	28 28N 36E	VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				N	N	N	28 28N 36E	VALLEY

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,017

WATER RIGHT NUMBER 400-4-077026-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY," UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 08, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 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 SWSE 29 28N 36E VALLEY PIT

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----
01 ONSTREAM SWSE 29 28N 36E VALLEY

RESERVOIR/LAKE NAME: DAYTON RETENTION RESERVOIR

PLACE OF USE EDR SIDCK:

----- ACRES ----- LOT_BLK QTR_SEC_SEC_TWP_RGE_COUNTY -----
001 SWSE 29 28N 36E VALLEY

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

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03/31/95
PAGE 3,018

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-077026-00 (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. W077026-00, W077027-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* * * * *
* USDA AERIAL PHOTOGRAPH NO. 579-30, DATED 07/03/81, *
* SHOWS NO EVIDENCE OF A DAM OR PIT AT THE CLAIMED *
* PLACE OF USE. *
* * * * *
* CLAIMED PURPOSE OF USE COULD NOT BE IDENTIFIED DUE TO *
* LACK OF DATA. *
* * * * *
* EXISTENCE OF THE CLAIMED RESERVOIR CANNOT BE *
* CONFIRMED WITH AVAILABLE DATA. *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA DMLV) DP 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN AT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,019

WATER RIGHT NUMBER 4002-W-077027-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 08, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 2.60 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 SWSE 29 20N 36E VALLEY PIT

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----
01 DNSTREAM SWSE 29 20N 36E VALLEY

RESERVOIR/LAKE NAME: DAYTON RETENTION RESERVOIR

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY -----
001 SWSE 29 20N 36E VALLEY

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

* J 07

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,021

WATER RIGHT NUMBER 4002-W-077028-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN QUESTION BY THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: MARCH 12, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY BEAMS -----
01 SEMESW 32 28N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SEMESW 32 28N 36E VALLEY

RESERVOIR/LAKE NAME: BEECHNUT DETENTION RESERVOIR
CAPACITY: ---.667 AC-FT DAM HEIGHT: 13 FT SURFACE AREA: -----ACRES

THE DAM EXTENDS INTO THE SWNWSE SEC 32 TWP 28N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE EDB SIDCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 28NWSE 32 28N 36E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,023

WATER RIGHT NUMBER 4001-W-077029-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: MARCH 12, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 27.87 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			SE	SW	32	28N	36E	VALLEY	DAM

RESERVOIR:

LOT	DNSTREAM	QTR	SEC	SEC	TWP	RGE	COUNTY	
01	DNSTREAM		SE	SW	32	28N	36E	VALLEY

RESERVOIR/LAKE NAME: BEECHNUT DETENTION RESERVOIR
CAPACITY: 66.7 AC-FT DAM HEIGHT: 13 FT SURFACE AREA: ACRES

THE DAM EXTENDS INTO THE SWNWSE SEC 32 TWP 28N RGE 36E
VALLEY COUNTY.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR WILDLIFE:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
001			SE	SW	32	28N	36E	VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,024

WATER RIGHT NUMBER 4002-W-077029-002 (CONTINUED)

PLACE OF USE CONTINUED:

002

NESW 32 28N 36E VALLEY

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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077028-00, W077029-00, W077030-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X
X X X
X X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT, IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X X
X X X

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,025

WATER RIGHT NUMBER 4002-W-077030-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): FLOOD CONTROL

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: MARCH 12, 1958
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 64.64 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 SENESW 32 28N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DOWNSTREAM SENESW 32 28N 36E VALLEY

RESERVOIR/LAKE NAME: BEECHMUT RETENTION RESERVOIR
CAPACITY: 66.7 AC-FT DAM HEIGHT: 13 FT SURFACE AREA: ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

THE DAM EXTENDS INTO THE SWNWSE SEC 32 TWP 28N RGE 36E
VALLEY COUNTY.

* PLACE OF USE FOR FLOOD CONTROL:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001
002

WNWSE 32 28N 36E VALLEY
NE 32 28N 36E VALLEY

A 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,026

WATER RIGHT NUMBER 400-W-077030-00 (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 DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077028-00, W077029-00, W077030-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THIS CLAIMED PURPOSE IS QUESTIONED AS A BENEFICIAL *
* USE OF WATER EXISTING PRIOR TO JULY 1, 1973. *
* * * * *
* THE USE OF THIS WATER APPEARS TO BE LARGELY *
* NON-CONSUMPTIVE. *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-596-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

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03/31/95
PAGE 3,027

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 4001-W-077031-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 01, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 2.60 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			SW	NW	33	28N	36E	VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY			
01			DN	STREAM	SW	NW	33	28N	36E	VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY		
001					SW	NW	33	28N	36E	VALLEY

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

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03/31/95
PAGE 3,029

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 4002-W-077032-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY," UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 01, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 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 SWNW 33 28N 36E VALLEY DAN

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWNW 33 28N 36E VALLEY

* **PLACE OF USE FOR STOCK:**

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWNW 33 28N 36E VALLEY

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,030

WATER RIGHT NUMBER 400-W-077032-00 (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.
W077031-00, W077032-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,031

WATER RIGHT NUMBER 4002-W-077033-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 28, 1950
TYPE OF HISTORICAL RIGHT: USE

ELOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 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 NWSE 33 28N 36E VALLEY DAM

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----
01 ONSTREAM NWSE 33 28N 36E VALLEY

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY -----
001 NWSE 33 28N 36E VALLEY

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,032

WATER RIGHT NUMBER 400-W-077033-00 (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.
W077033-00, W077034-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING 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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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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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 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,033

WATER RIGHT NUMBER 4002-W-077034-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT_BLK_QTR_SEC_SEC_IWP_RGE_COUNTY ----- MEANS -----
01 NWSE 33 28N 36E VALLEY DAM

RESERVOIR:

----- QTR_SEC_SEC_IWP_RGE_COUNTY -----
01 DNSTREAM NWSE 33 28N 36E VALLEY

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT_BLK_QTR_SEC_SEC_IWP_RGE_COUNTY -----
001 NWSE 33 28N 36E VALLEY

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

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 400g-W-077034-00g (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.
W077033-00, W077034-00.

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x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS      x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN  x
x UNRESOLVED IF NO OBJECTIONS ARE FILED.                          x
x                                                                    x
x                                                                    x
x                                                                    x
x                                                                    x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS                 x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE           x
x AREA, 234 MONT. 343 (1980) (THE BEAM LAKE CASE) THE            x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE          x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION          x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND                 x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."           x
x                                                                    x
x                                                                    x
*****

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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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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 819, BOZEMAN MT 59711-0819.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,035

WATER RIGHT NUMBER 400-U-077035-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 16, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- PEANS -----

01 NENE 34 28N 36E VALLEY (AM)

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM NENE 34 28N 36E VALLEY

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 NENE 34 28N 36E VALLEY

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

* K 08

PRELIMINARY DECREE
 MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
 BASIN 400
 ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-077035-00 (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.
 W077035-00, W077036-00.

 * 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
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 TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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 "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
 YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
 DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
 AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
 PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
 P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,037

WATER RIGHT NUMBER 400g-W-077036-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BEAVER CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 16, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 1.44 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC IMP RGE COUNTY ----- MEANS -----
01 NENE 34 20N 36E URALLEY DAM

RESERVOIR:

----- QTR SEC SEC IMP RGE COUNTY -----
01 DNSTREAM NENE 34 20N 36E URALLEY

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC IMP RGE COUNTY -----
001 NENE 34 20N 36E URALLEY

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

* M 08

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,039

WATER RIGHT NUMBER: 400-W-077037-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF BILLOCK COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 13, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 2.60 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 SWNWSE 04 28N 37E VALLEY DAM

RESERVOIR:

----- QTR_SEC SEC TWP_RGE COUNTY -----
01 DNSTREAM SWNWSE 04 28N 37E VALLEY

RESERVOIR/LAKE NAME: CARLSON RETENTION RESERVOIR

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT_BLK QTR_SEC SEC TWP_RGE COUNTY -----
001 W2NWSE 04 28N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,040

WATER RIGHT NUMBER 400-V-077037-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077037-00, W077038-00.

* 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. *
* * * * *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA DIAL 5) OR 1-406-564-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,041

WATER RIGHT NUMBER 400-W-07038-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF BILLYCK COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 13, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 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 SWNWSE 04 28N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWNWSE 04 28N 37E VALLEY
RESERVOIR/LAKE NAME: CARLSON RETENTION RESERVOIR

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWNWSE 04 28N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* B 09

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,042

WATER RIGHT NUMBER 400-W-07703B-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077037-00, W077038-00.

* 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
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-824-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.-D. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,043

WATER RIGHT NUMBER 400-W-077039-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 16, 1946
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.38 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		N25ENE	05	28N	37E	VALLEY		DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		ONSTREAM	N25ENE	05	28N	37E	VALLEY

RESERVOIR/LAKE NAME: WAGON TOP RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001		N25ENE	05	28N	37E	VALLEY		

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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03/31/95
PAGE 3,045

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 100
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 4002-W-077040-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA COEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 16, 1946
TYPE OF HISTORICAL RIGHT: USE

ELDW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		N2SENE	05	28N	37E	VALLEY		DAM

RESERVOIR:

LOT	DIR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	N2SENE	05	28N	37E	VALLEY

RESERVOIR/LAKE NAME: WAGON TOP RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY
001			SENE	05	28N	37E	VALLEY	

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

* F 09

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,046

WATER RIGHT NUMBER 400-W-077040-00 (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.
W077039-00, W077040-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,047

WATER RIGHT NUMBER 4002-W-077041-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BILLICK COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 09, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .40 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 NESWSE 05 28N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM NESWSE 05 28N 37E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NESWSE 05 28N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* H 09

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,048

WATER RIGHT NUMBER 400-W-077041-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES. W077041-00,
W077041-00, W077042-00.

* 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
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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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 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,049

WATER RIGHT NUMBER 400-W-077042-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BILLICK COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 09, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LDI BLK QTR SEC SEC TWP RGE COUNTY MEANS -----
01 NESWSE 05 28N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NESWSE 05 28N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LDI BLK QTR SEC SEC TWP RGE COUNTY -----
001 NESWSE 05 28N 37E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* J 09

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,050

WATER RIGHT NUMBER 400-W-077042-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077041-00, W077042-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF HIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X
X X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 294 MONT. 343 (1988) (THE BEAM LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X X

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,051

WATER RIGHT NUMBER 4003-W-077043-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 13, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LDT BLK QTR SEC SEC TWP RGE COUNTY MEANS -----
01 SESESE 06 28N 37E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SESESE 06 28N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LDT BLK QTR SEC SEC TWP RGE COUNTY -----
001 E2SESE 06 28N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,052

WATER RIGHT NUMBER: 4003-W-077043-003 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077043-00, W077044-00.

* 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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1908) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P. O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,053

WATER RIGHT NUMBER: 400-W-077044-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION: 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 13, 1967
TYPE OF HISTORICAL RIGHT: USE

ELOW_BASIN: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY ----- BEANS -----
01 SENESE 06 28N 37E VALLEY PIT

RESERVOIR:

----- QTR_SEC_SEC_TWP_RGE_COUNTY -----
01 DNSTREAM SENESE 06 28N 37E VALLEY

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT_BLK_QTR_SEC_SEC_TWP_RGE_COUNTY -----
001 E2NESE 06 28N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-077044-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREEES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES. W077043-00,
W077043-00, W077044-00.

* 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
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4264, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,055

WATER RIGHT NUMBER 400 W-077045-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 10, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.38 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 NWSWNE 08 28N 37E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NWSWNE 08 28N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NWSWNE 08 28N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,056

WATER RIGHT NUMBER W-077045-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077045-00, W077046-00.

* 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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 294 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,057

WATER RIGHT NUMBER 4002-W-077046-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 10, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY	MEANS	
01		N	W	S	08	28N	37E	VALLEY	PIT

RESERVOIR:

DIR	SEC	SEC	TWP	RGE	COUNTY				
01	ONSTREAM		N	W	S	08	28N	37E	VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY	
001			N	W	S	08	28N	37E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,058

WATER RIGHT NUMBER 400 W-077046-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077045-00, W077046-00.

* 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
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-524-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,059

WATER RIGHT NUMBER 400-W-077047-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION 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: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1948
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.38 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 NESWSE 08 28N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NESWSE 08 28N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 E2SWSE 08 28N 37E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITewater CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,060

WATER RIGHT NUMBER 400-W-077047-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077047-00, W077048-00.

* 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. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITewater CREEK INCLUDING PORCUPIne CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,823

WATER RIGHT NUMBER 4002-W-104473-002 (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 PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P. O. BOX 879, BOZEMAN MT 59771-0879.