

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

CHANGE AUTHORIZATION

UPON FINDING THE REQUIREMENTS OF SECTION 85-2-429, MCA HAVE BEEN MET, APPLICATION TO CHANGE WATER RIGHT NUMBER 41B-30175654 SUBMITTED ON JUNE 15, 2026, IS APPROVED.

Application Form: HAGENBARTH LAND MONTANA LP
PO BOX 1128
DILLON, MT 59725 1128

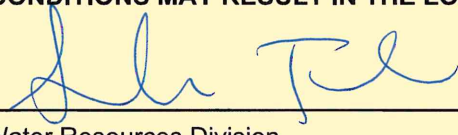
HAGENBARTH, DAVID J REVOCABLE TRUST
P0 BOX 1128
DILLON, MT 59725 1128

HAGENBARTH, JAMES F LIVING TRUST
JAMES F HAGENBARTH TRUSTEE
PO BOX 1128
DILLON, MT 59725 1128

Water Right	Wr #	Ext	Type
Number(s) Changed:	41B-31321	00	GROUND WATER CERTIFICATE

Change Description:
THIS CHANGE IS FOR AN ADDITION OF ONE STOCK TANK IN SESENW SECTION 23, T5S, R9W, BEAVERHEAD COUNTY. THE EXISTING PLACE OF USE IN SECTIONS 12, 14, 17, 19, 20, 22, 28, AND 29 T5S, R8W, SECTIONS 24, 25, 26, 27, 35, AND 36 T5S R9W, AND SECTION 2 T6S R9W, BEAVERHEAD COUNTY WILL REMAIN.
Additional Information:
THIS CHANGE AUTHORIZATION IS AUTHORIZED PURSUANT TO 85-2-429(5) MCA.

CONDITIONAL APPROVAL
THIS AUTHORIZATION IS LIMITED TO THE AMOUNT OF THE HISTORIC USE RECOGNIZED BY THE DEPARTMENT IN THIS PROCEEDING AS SUBJECT TO CHANGE, AND WILL THEREAFTER NOT EXCEED THAT AMOUNT. IF THE HISTORIC USE IS REDUCED UNDER ADJUDICATION PROCEEDINGS PURSUANT TO TITLE 85, CHAPTER 2, PART 2, MCA, THIS AUTHORIZATION WILL BE LIMITED TO A LESSER AMOUNT.
FAILURE TO COMPLY WITH ANY OF THESE TERMS AND CONDITIONS MAY RESULT IN THE LOSS OF THIS CHANGE AUTHORIZATION.

	
Witness Signature	Water Resources Division
DATE ISSUED:	JUNE 23, 2026

THE INFORMATION SHOWN BELOW REFLECTS THE ENTIRE WATER RIGHT.
AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM ALTERED BY THIS CHANGE AUTHORIZATION.

Water Right Number:41B 31321-00 GROUND WATER CERTIFICATE

Version: 4 -- CHANGE AUTHORIZATION

Version Status: ACTIVE

Owners:HAGENBARTH LAND MONTANA LP

PO BOX 1128

DILLON, MT 59725-1128

HAGENBARTH, DAVID J REVOCABLE TRUST

P0 BOX 1128

DILLON, MT 59725-1128

HAGENBARTH, JAMES F LIVING TRUST

JAMES F HAGENBARTH TRUSTEE

PO BOX 1128

DILLON, MT 59725-1128

Priority Date:JANUARY 22, 1981 at 09:02 A.M.

Enforceable Priority Date:JANUARY 22, 1981 at 09:02 A.M.

Purpose (Use):STOCK

Maximum Flow Rate:30.00 GPM

Historical Flow Rate:30.00 GPM

Maximum Volume:38.30 AC-FT

Historical Diverted Volume:48.39 AC-FT

Historical Consumptive Volume:48.39 AC-FT

Source Name:GROUNDWATER

Source Type:GROUNDWATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr	Sec	Sec	Twp	Rge	County
1		NESWNW		1	6S	9W	BEAVERHEAD
Period of Diversion:		JANUARY 1 TO DECEMBER 31					
Diversiion Means:		SUMP					
2		NESWNW		1	6S	9W	BEAVERHEAD
Period of Diversion:		JANUARY 1 TO DECEMBER 31					
Diversiion Means:		WELL					
Well Depth:		100.00 FEET					
Static Water Level:		30.00 FEET					
Casing Diameter:		6.00 INCHES					
Pump Size:		5.00 HP					
3		NESWNW		1	6S	9W	BEAVERHEAD
Period of Diversion:		JANUARY 1 TO DECEMBER 31					
Diversiion Means:		WELL					
Well Depth:		100.00 FEET					
Static Water Level:		30.00 FEET					
Casing Diameter:		6.00 INCHES					
Pump Size:		5.00 HP					
Purpose (Use)	STOCK	Purpose Clarification: STOCK					
Volume:		38.30 AC-FT					
Period of Use:		JANUARY 1 to DECEMBER 31					
*Place of Use:							

ID	Acres	Govt Lot	Qtr	Sec	Twp	Rge	County
1			NWNENE	12	5S	8W	BEAVERHEAD
2			NWSESE	14	5S	8W	BEAVERHEAD
3			SWSESW	17	5S	8W	BEAVERHEAD
4			NENWSE	19	5S	8W	BEAVERHEAD

5	NWNESW	20	5S	8W	BEAVERHEAD
6	SESWNW	22	5S	8W	BEAVERHEAD
7	NWSWSE	28	5S	8W	BEAVERHEAD
8	SESENW	29	5S	8W	BEAVERHEAD
9	NESENW	24	5S	9W	BEAVERHEAD
10	SENESW	24	5S	9W	BEAVERHEAD
11	NWNWSE	25	5S	9W	BEAVERHEAD
12	SWSESE	26	5S	9W	BEAVERHEAD
13	SESESW	27	5S	9W	BEAVERHEAD
14	SWSESW	27	5S	9W	BEAVERHEAD
15	NESENE	35	5S	9W	BEAVERHEAD
16	NENWNW	35	5S	9W	BEAVERHEAD
17	NWNWSE	36	5S	9W	BEAVERHEAD
18	NWNWSE	2	6S	9W	BEAVERHEAD
*19	SESENW	23	5S	9W	BEAVERHEAD

THE STOCK TANKS ASSOCIATED WITH PLACE OF USE ID NOS. 1 AND 16 ARE SPLIT ON THE SECTION LINE; LIVESTOCK CAN ALSO DRINK FROM SECTION 1, T5S, R8W AND SECTION 26, T5S, R9W, ALL WITHIN BEAVERHEAD COUNTY, RESPECTIVELY.

OWNERSHIP UPDATE RECEIVED

- OWNERSHIP UPDATE TYPE 608 # 26243 RECEIVED 09/12/2005.
- OWNERSHIP UPDATE TYPE 641 # 110497 RECEIVED 06/04/2013.
- OWNERSHIP UPDATE TYPE DOR # 151629 RECEIVED 01/09/2017.
- OWNERSHIP UPDATE TYPE 608 # 280266 RECEIVED 10/27/2025.



The Montana Department of
**Natural Resources
& Conservation**

RECEIVED

JUN 15 2026

DNRC-HRO

Notice of Change in Appropriation Right for Stock Tanks

85-2-429(5), MCA

Form No. 656 (Revised 10/2025)

Application # 60756027 Basin 419
 Received By HQ
 Fee Received \$ 400 Check # 1894
 Deposit Receipt # HES 2631056
 Payor Hagenbarth Mgmt Co
 Refund \$ _____ Date/Time 08:00

FILING FEE:**\$400.00****WHEN TO USE THIS FORM:**

- To add, move, or remove stock tanks on an existing water right for stock use, or to change to stock tanks from a livestock direct from source water right.
- File this form within 60 days after the project is completed.
- Multiple water rights may be changed on one form if the place of use and purpose will be exactly the same for each water right, and all water rights will share a common conveyance system.
- This form cannot be used if the amount of water diverted from the source or the number of animal units will increase.

1. Water right owner(s) information: David J. Hagenbarth, Trustee, David J. Hagenbarth Revocable Trust; James F. Hagenbarth; Trustee, James F. Hagenbarth Living Trust; Hagenbarth Land Montana LP

Name(s) 492638 492636 325782Mailing Address PO Box 1128City Dillon State MT Zip 59725Phone Number (406) 490-2121 Email jim@hbmanage.net**Note:** If there are additional owners, attach the water right owner information labeled as Attachment #1.Contact Person: ☒ Applicant ☐ Consultant ☐ Attorney ☐ Other _____Contact Name James F. HagenbarthMailing Address PO Box 1128City Dillon State MT Zip 59725Phone Number (406) 490-2121 Email jim@hbmanage.net

Form 656



**Notice of Change in Appropriation
Right for Stock Tanks**

85-2-429(5), MCA
Form No. 656 (Revised 10/2025)

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Received By HQ
Fee Received \$ 400 Check # 1894
Deposit Receipt # HE52631056
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Name(s) _____
Mailing Address PO Box 1128
City Dillon State MT Zip 59725
Phone Number (406) 490-2121 Email jim@hbmanage.net

Note: If there are additional owners, attach the water right owner information labeled as Attachment #1.

Contact Person: ☒ Applicant ☐ Consultant ☐ Attorney ☐ Other _____
Contact Name James F. Hagenbarth
Mailing Address PO Box 1128
City Dillon State MT Zip 59725
Phone Number (406) 490-2121 Email jim@hbmanage.net



Note: If a contact person is identified as an attorney, all communications will be sent only to the attorney unless the attorney provides written instruction to the contrary. Unless the contact person is an attorney, the water right owner will receive all correspondence, and a copy may be sent to the contact person.

2. Application details:

a. Date project was completed: May 26, 2026

Note: If more than 60 days have passed since the project completion you cannot use this form and will need to file Form 606-Application to Change a Water Right.

b. List all water right numbers included in this change in appropriation right:

41B 31321 00 as authorized by change no. 30102793 and change no. 30162751

Note: Attach the water right abstracts and a narrative explaining details of the change in appropriation right and label as Attachment #2b.

Note: If you do not have a DNRC water right number, you may have an existing exempt water use. Water for stock use from groundwater sources (well or developed springs) or stock drinking directly from a surface water source were exempt from the general adjudication filing requirements for claims of existing water rights if they met either of the following criteria:

- For wells, the water was put to use prior to January 1, 1962, OR put to use between January 1, 1962, and July 1, 1973, and a notice was filed in the courthouse records.
- For stock drinking directly from the source and water was put to use before July 1, 1973.

If your stock use meets one of the above criteria, complete this form and a Non-Filed Water Project Addendum. You can obtain the addendum from the [Water Rights Forms and Resources webpage](#). If your use does not meet these criteria, contact your Regional Water Resources Office for more information (Reginal Office contact information is on page 5).

c. How many stock tanks have been added through this change?

Permanent 1 Temporary _____

Note: A temporary change in appropriation right for stock tanks may be authorized in accordance with 85-2-407, MCA.

d. Will the existing places of use (POUs) continue to be used? ☒ Yes ☐ No



e. **New places of use: Provide the following information for all POUs being added in this change:**

Note: If necessary, attach additional geocode or legal land descriptions using another sheet and label as Attachment #2e.

i. Geocode(s) of the place(s) of use:

18-0501-23-1-01-01-0000

ii. Legal Land Description (LLD):

1. SE 1/4 SE 1/4 NW 1/4 Section 23 Twp 5 N S Rge 9 E W County Beaverhead
of permanent tanks in LLD 1 # of temporary tanks in LLD
2. 1/4 1/4 1/4 Section Twp N S Rge E W County
of permanent tanks in LLD # of temporary tanks in LLD
3. 1/4 1/4 1/4 Section Twp N S Rge E W County
of permanent tanks in LLD # of temporary tanks in LLD
4. 1/4 1/4 1/4 Section Twp N S Rge E W County
of permanent tanks in LLD # of temporary tanks in LLD
5. 1/4 1/4 1/4 Section Twp N S Rge E W County
of permanent tanks in LLD # of temporary tanks in LLD
6. 1/4 1/4 1/4 Section Twp N S Rge E W County
of permanent tanks in LLD # of temporary tanks in LLD
7. 1/4 1/4 1/4 Section Twp N S Rge E W County
of permanent tanks in LLD # of temporary tanks in LLD
8. 1/4 1/4 1/4 Section Twp N S Rge E W County
of permanent tanks in LLD # of temporary tanks in LLD



- f. What are the types and numbers of animals that use the stock water system?

Refer to the [DNRC Water Calculation Guide](#) for information about animal unit (AU) calculations.

Note: If necessary, attach additional animal information using a separate sheet and label as Attachment #2.f.

Type of Animal Cattle x # of Animals 2250 = 2250 AU

Type of Animal _____ x # of Animals _____ = _____ AU

Type of Animal _____ x # of Animals _____ = _____ AU

Type of Animal _____ x # of Animals _____ = _____ AU

Total Animal Units: _____

- g. Provide the legal land description for new points of diversion (PODs), if the change involves going from livestock drinking direct from source to tanks:

1/4 1/4 1/4 Section _____ Twp _____ ☐ N ☐ S Rge _____ ☐ E ☐ W County _____

1/4 1/4 1/4 Section _____ Twp _____ ☐ N ☐ S Rge _____ ☐ E ☐ W County _____

1/4 1/4 1/4 Section _____ Twp _____ ☐ N ☐ S Rge _____ ☐ E ☐ W County _____

1/4 1/4 1/4 Section _____ Twp _____ ☐ N ☐ S Rge _____ ☐ E ☐ W County _____

- h. Are you changing all water right(s) associated with the place of use? ☒ Yes ☐ No

If **No**, provide an explanation of how the rights will be operated to ensure no expansion of use:

Note: If necessary, attach additional narrative explaining details of associated rights and label as Attachment #2h.

- i. Did you add stock tanks on State Trust Lands? ☐ Yes ☒ No

If **Yes**, you must include a copy of the DNRC Forestry and Trust Lands Division's *Authorization for Temporary Change in Appropriation Right Consent Form*. A change in authorization to add stock tanks on state trust land will be temporary for the duration of the lease term. If one FORM No. 656 is used to add permanent stock tanks on private land and temporary stock tanks on state trust land the form, attachments and map(s) must clearly identify the permanent POUs on private land and temporary POUs on state trust land.



3. Adequate infrastructure to control diversions:

Note: If stock tanks are being added to a livestock direct from source water right, the diversion must be shut off when the tank is full. If you will not have an automatic shut off on the tank, outflow water must be immediately directed back to the source.

a. How will the water be diverted from the source?

☐ Well ☐ Pump ☐ Gravity Flow ☒ Other

Water is diverted at a sump or by 1 of 2 wells and pumped into a pipeline.

b. Identify the flow rate that will be diverted: 30 **GPM**

Note: If stock tanks are being added to a livestock direct from source water right, the maximum flow rate for the diversion to the tanks may not exceed 35 GPM (85-2-429(5)(b)(i), MCA).

c. How was the flow rate determined?

Historic use. The flow rate is monitored regularly to ensure an adequate supply and that operating pressures are protective of the system.

d. Provide evidence to show that the flow rate will be adequate for the new system.

Note: Attach evidence to the form and label it #3d.

e. Will a pipeline be used to convey water to the new tanks? ☒ Yes ☐ No

If **No**, explain the new means of conveyance:

f. Provide design plans for the stock tanks system from the point of diversion to the place of use (tanks). Include pump information, pipe size, pipe length, pipe material, flow shut off method, any valves or booster pumps used, depth pipelines will be buried, etc.

Note: Attach information to the form and label as Attachment #3e.



4. **Map: Provide a map or maps depicting the changed stock water system;**

Note: label map as attachment #4.

Aerial photos may be available from the DNRC, NRIS, NRCS, USGS, or other sources. Be sure to indicate which tanks are currently authorized and which tanks are being added via this form. The map also must show:

- North arrow, scale bar, section lines and numbers, and township and range.
- Labels for already authorized PODs, POUs and means of conveyance.
- Labels for new PODs, POUs and means of conveyance. The map should reflect the entire water right including the change and the remaining old use.

Signatures(s): All owners must sign the form.

I DECLARE UNDER PENALTY OF PERJURY AND UNDER THE LAWS OF THE STATE OF MONTANA THAT THE FOREGOING IS TRUE AND CORRECT.

I AFFIRM STATEMENTS APPEARING HERE ARE TO THE BEST OF MY KNOWLEDGE TRUE AND CORRECT. I ALSO AFFIRM THAT I HAVE POSSESSORY INTEREST IN THE PROPERTY WHERE THE WATER IS TO BE PUT TO BENEFICIAL USE.

Water Right Owner Signature David J. Hagenbarth Date 06/09/2026

Printed Name David J. Hagenbarth; Hagenbarth Land Montana LP
Revocable Trust

Water Right Owner Signature James F. Hagenbarth Date 6-9-26

Printed Name James F. Hagenbarth; Hagenbarth Land Montana LP
Living Trust



Hagenbarth 656 Notice of Change in Appropriation Right for Stock Tanks

2b. Details of Change in Appropriation

The water right owner has added an additional stock tank (#19) to the place of use for groundwater certificate 41B 31321 00. The stock tank will be an extension off of the Hagenbarth existing pipeline conveyance system. There are currently 18 places of use on 41B 31321 00. See General Water Right Abstract attached. The flow rate, volume, and points of diversion will remain unchanged with the addition of stock tank #19 to the place of use.

The points of diversion in the NESWNW of Section 1, T6S, R9W, supply water to the main pipeline. Hagenbarth has tapped the main pipeline and ran an extension of the pipeline westerly across State Land in Sections 23 and 24, T5S, R9W to the place of use of stock tank #19 in the SESENW of Section 23, T5S, R9W, Beaverhead County. Stock tank #19 is on private property (N2 Section 23) owned by Hagenbarth Land Montana LP. A license to cross State Land has been obtained from the State. A copy of Land Use License No. LUL 307-2600057 is attached.

3d. Adequate Flow Rate

The flow rate will be adequate for the addition of stock tank #19. The diversion and conveyance system have been used since 1981 for stock watering. On average, the water supply has supported 2,250 cows.

The system operated pressure is limited by the pressure rating of the pipe and the need to deliver water at higher elevations in the system. The pumping flow rate is restricted to maintain system pressures to protect the pipeline system infrastructure. The maximum diversion rate of 30 gpm occurs for short periods of time during initial system startup until the system reaches normal operating pressures.

Six storage tanks were added to the system to provide peak flows and a redundant water supply in case of a system or piping failure. The need for additional storage at stock tank #19 is not anticipated.

3e. Design Plans and Information

As set forth in previous stock tank additions, the system was originally designed with support from the US National Resources and Conservation Service (NRCS). As built, the existing system consists of groundwater from a developed spring which is diverted from a sump, or alternatively 1 of 2 wells, for the purpose of watering livestock. Diversion is controlled in a subsurface control structure. Controls include pressure switches, valves, flow restrictors and a municipal type flow meter. The pipeline system includes vacuum relief valves, drains, and blow off valves.

Water is pumped using a 5 gpm pump through an extensive underground piping system (about 17.9 miles long) for stock water use over approximately 18,610 acres of rangeland. The mainline is approximately 10.7 miles with 7.2 miles of spur lines. The pipeline system supplies water to 18 troughs/stock tanks. Each tank has a float control to maintain the water level. The addition of a stock tank in Section 23 is a spur off the mainline, but additional water will not be diverted.

The new pipeline spur taps the main pipeline and runs in a westerly direction across Section 24 and into Section 23, T5S, R9W. Stock tank #19 is located on private property in the SESENW of Section 23, T5S, R9W.

The pipeline is made of 1½ inch poly pipe. It is buried 3 feet deep. The stock tank consists of a 12' rubber tire trough, concrete, and metal. **A photograph is included.** There is a float on the trough, but an overflow drain will be put in the drain field, if used in winter with a flow control valve. Stock tank #19 will be used to maximize grazing efficiency without increasing the amount of water diverted.

4. Map

See Map attached.



MONTANA DEPARTMENT OF NATURAL
RESOURCES AND CONSERVATION

LAND USE LICENSE NO. LUL 307-2600057

The STATE OF MONTANA, DEPARTMENT OF NATURAL RESOURCES & CONSERVATION (hereinafter referred to as the "Department" or "Licensor"), whose address is **P. O. Box 201601, 1539 Eleventh Avenue, Helena, MT 59620-1601**, herein grants **Hagenbarth Land Montana LP** whose address is **PO Box 1128, Dillon MT 59725** (hereinafter referred to as the "Licensee") a LAND USE LICENSE (hereinafter referred to as a "License" or "LUL"), to obtain the following-described rights for a limited term in the following-described lands, subject to all of the terms and conditions hereof.

1. LEGAL DESCRIPTION

Tract(s) of land situated in **Beaverhead County**, Montana, and being further described as follows:

Description	Section	Township	Range	Acres
SE¼, NESW	23	5S	9W	
S½SW¼	24	5S	9W	

2. FILING FEE

A fee of Twenty-five and No/100 Dollars (\$25.00) has been paid to the Licensor prior to issuance of this License.

3. RENTAL

Upon acceptance of this License, the Licensee agrees to pay in advance, A **ONE-TIME** fee of **\$300.00**. Should the License begin on a date other than March 1, the first year of this License shall be the date which the License is signed and executed to the last day of February, or the expiration date, whichever is sooner.

4. DURATION

This License shall take effect upon Department signature and remain in full force and effect up to and including **February 29, 2036**, unless terminated in accordance with Section 19 of this License.

5. LICENSED ACTIVITY

The purpose of this License is **for a buried stock water pipeline conveying water from an existing buried stock water pipeline in Section 24, T5S R9W, under easement to Hagenbarth Land Montana LP, through the above described state sections, exiting onto private lands located in the SENW of Section 23, T5S R9W.**

6. RECLAMATION OF THE LAND

The Licensee shall take all reasonable precautions to prevent or minimize damage to natural (i.e., vegetation, soil, water, wildlife), and cultural resources within the License premises. Within thirty (30) days of the termination of this License by either party to this agreement, or final expiration of agreement, the Licensee shall reclaim the area to the specifications of the Licensor. Such reclamation shall include, but not be limited to, the elimination of all trace of disturbances, compaction, and resurfacing of any holes or terraces. Licensee shall reseed all disturbed areas with native species of grasses, unless other arrangements are agreed upon between the Licensor and the Licensee in writing. When any action requires disturbance, all soil materials shall be salvaged, safeguarded from loss due to wind or water erosion or machinery activity, and shall be replaced on all disturbed areas.

7. PERFORMANCE BOND

To secure performance of Licensee's reclamation obligation, Licensor may require a performance bond that shall remain in existence for the term of the License. Any performance bond required shall be submitted to the Licensor before conducting any disturbance on the land under this License. The bond requirement for this License is: **NONE**

8. MAINTENANCE, IMPROVEMENTS, UTILITY INSTALLATION

- The Licensee shall maintain the area within the License in a neat and orderly manner as reasonably determined by the Licensor and will not allow waste or debris to accumulate thereon.
- The Licensee shall not construct any improvements upon the License Premises without first obtaining Licensor's permission to construct or install such improvements on the License Premises. Licensee is

responsible for all cost incurred in the design, construction, operation, and maintenance of all improvements on this License.

- (c) The Licensee, at its sole cost and expense, shall be responsible for installing and paying all costs of any utilities if Licensee desires any such services. Notwithstanding the foregoing, the Licensee shall not enter into any contract or agreement with any city, county, or other governmental agency or body or public utility with reference to sewer lines or connections, water lines or connection, or street improvements relating to the License Premises, without the prior written consent of the Licensor, which consent shall not be unreasonably withheld.

9. PERSONAL PROPERTY AT EXPIRATION OR TERMINATION OF LICENSE

Any personal property or fixture placed on or in the licensed area by the licensee or their agents shall be removed immediately upon expiration or termination of the license. Any personal property or fixture left on the license after the expiration or termination of the license shall become the property of the state of Montana. The Department shall have the authority to use all or part of any performance bond issued for this license to fund reclamation and disposal of any property or fixture remaining on or in the licensed area. The department shall have the authority to otherwise dispose of any property or fixture remaining on the licensed area at the termination of the license. Licensee will not be entitled to any value received by the Department through disposal of any property or fixture remaining on the licensed area after expiration or termination. This subsection does not authorize placement of improvements or personal property upon the licensed area that were not otherwise authorized.

10. LIMITATION OF AUTHORITY

Other than for the purposes specifically described in this agreement, the Licensee agrees that it does not have, and shall not claim at any time, any interests or estate of any kind or extent whatsoever in the License Premise by virtue of this License or their occupancy or use hereunder in excess of the use granted by the License. The Licensor reserves all rights and interests to the License Premises other than those specifically granted by the License.

11. WEATHER CONDITIONS

The Licensor reserves the right to restrict or preclude any surface activity during periods of adverse weather and other conditions which may contribute to accelerated erosion, fire hazard, disruption of seasonal wildlife, or any other condition which in the opinion of the Department may have an adverse effect on Trust land.

12. NOXIOUS WEEDS

The Licensee shall be responsible for controlling any noxious weeds introduced by Licensee's activity on the License Premises or adjacent state-owned land. The Department of Natural Resources & Conservation **Dillon Unit** has jurisdiction for that locale and must review the Licensee's methods of control. The Licensee shall comply with the Montana County Noxious Weed Management Act.

13. GENERAL LIABILITIES AND INDEMNITY

The Licensee agrees to assume responsibility for all claims and lawsuits, and shall be fully and completely liable to, and indemnify, defend and hold harmless, the Licensor from any and all damages, injury or death to persons and/or property that occur upon or about said land caused by or arising out of Licensee's use of the License Premises hereunder.

14. INSURANCE

The Licensor may require the Licensee to procure and maintain and keep in force a comprehensive or commercial general liability insurance covering claims arising out of the ownership, operation, maintenance, condition or use of the License Premises for personal and bodily injury and death, and damage to others' property. Any insurance required under this section shall name the Licensor as an additional insured in the policy(ies) providing such liability insurance, which shall include cross liability and severability of interests clauses. The Licensee shall provide certificates of insurance evidencing the policies obtained by Licensee. If the Licensee does not deliver the evidence required by the preceding sentence before taking possession of the License Premises, then Licensee will deliver the same within 30 days after taking possession of the License Premises. Thereafter, during the Term, within 30 days after the renewal date of each policy, the issuance of a new policy or on such other date as Licensor reasonably requires, Licensee will deliver a copy of the latest proof of insurance to Licensor. Each policy of insurance will require the issuer of the insurance policy to give Licensor 30 days' advance written notice of the termination or modification of the policy. The minimum insurance requirement for this License for any one accident or occurrence as described above is: NONE REQUIRED.

15. PERMITS AND COMPLIANCE

Licensee is responsible for obtaining any additional permits or requirements from any other affected regulatory agency(ies).

The Licensee shall comply with all public laws, statutes, ordinances, and administrative rules which are applicable to its operations upon the above-described lands. In no event shall the Licensee conduct any activity, or allow any activity to be conducted, upon the above-described lands or within the Project which is: a nuisance or violates of public health, safety, or welfare.

16. INDEMNIFICATION FOR HAZARDOUS MATERIALS

The Licensee shall be fully and completely liable to, and indemnify, defend, and hold harmless, the Licensors for any and all damages and clean-up costs and penalties imposed by any governmental authority with respect to Licensee's use, disposal, transportation, generation, or sale of Hazardous Substances, in or about the above-described lands.

17. TAXES

The Licensee shall be solely responsible for all personal property taxes that accrue to personal property or real property taxes that accrue to any improvements owned by Licensee that are located on the above described lands.

18. RIGHT OF ENTRY

Representatives of the Licensors shall at all reasonable times have the right to enter into and upon the premises and all parts thereof for the purpose of managing the land and/or inspecting and examining uses thereof.

19. TERMINATION OF LAND USE LICENSE

The Licensors reserves the right to terminate the permission hereby granted at any time by giving the Licensee no less than thirty (30) days written notice of such termination, except that the Licensors may terminate the License and all permission granted herein immediately if Licensee fails to comply with, or abide by, each and all of the provisions hereof, or ceases to use the permission hereby granted. Licensee agrees to peaceably yield the License Premises upon termination subject only to its reclamation obligations.

20. SPECIAL STIPULATIONS

The Licensors reserves the right to impose special stipulations on license based on use, location, or other reasons. Special stipulations in addition to the terms above are: **NONE**

Dated this 13th day of April, 2026.

Hagenbawth Land Montana LP by James F Hagenbawth
(Licensee/Authorized Agent)

HAGENBANTH LAND MONTANA LP by James F. Hagenbawth
(Printed Name and Title)

(Department of Natural Resources & Conservation Use Only)

APPROVAL OF LICENSE

Date Approved

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

#2B

PROPOSED

GENERAL ABSTRACT

Water Right Number: 41B 31321-00 GROUND WATER CERTIFICATE
Version: 3 -- CHANGE AUTHORIZATION
Version Status: ACTIVE

Owners: HAGENBARTH LAND MONTANA LP
PO BOX 1128
DILLON, MT 59725-1128
HAGENBARTH, DAVID J REVOCABLE TRUST
PO BOX 1128
DILLON, MT 59725-1128
HAGENBARTH, JAMES F LIVING TRUST
JAMES F HAGENBARTH TRUSTEE
PO BOX 1128
DILLON, MT 59725-1128

Priority Date: JANUARY 22, 1981 at 09:02 A.M.
Enforceable Priority Date: JANUARY 22, 1981 at 09:02 A.M.

Purpose (Use): STOCK
Maximum Flow Rate: 30.00 GPM
Historical Flow Rate: 30.00 GPM
Maximum Volume: 38.30 AC-FT
Historical Diverted Volume: 48.39 AC-FT
Historical Consumptive Volume: 48.39 AC-FT

Source Name: GROUNDWATER
Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESWNW	1	6S	9W	BEAVERHEAD
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	SUMP					
2		NESWNW	1	6S	9W	BEAVERHEAD
Period of Diversion:	JANUARY 1 TO DECEMBER 31					
Diversion Means:	WELL					
Well Depth:	100.00 FEET					
Static Water Level:	30.00 FEET					
Casing Diameter:	6.00 INCHES					
Pump Size:	5.00 HP					
3		NESWNW	1	6S	9W	BEAVERHEAD
Period of Diversion:	JANUARY 1 TO DECEMBER 31					

Diversion Means:	WELL	
Well Depth:	100.00 FEET	
Static Water Level:	30.00 FEET	
Casing Diameter:	6.00 INCHES	
Pump Size:	5.00 HP	
Purpose (Use):	STOCK	Purpose Clarification: STOCK
Climatic Area:	4 - MODERATELY LOW	
Volume:	38.30 AC-FT	
Period of Use:	JANUARY 1 to DECEMBER 31	
Place of Use:		

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			NWNENE	12	5S	8W	BEAVERHEAD
2			NWSESE	14	5S	8W	BEAVERHEAD
3			SWSESW	17	5S	8W	BEAVERHEAD
4			NENWSE	19	5S	8W	BEAVERHEAD
5			NWNESW	20	5S	8W	BEAVERHEAD
6			SESWNW	22	5S	8W	BEAVERHEAD
7			NWSWSE	28	5S	8W	BEAVERHEAD
8			SESENW	29	5S	8W	BEAVERHEAD
9			NESENW	24	5S	9W	BEAVERHEAD
10			SENESE	24	5S	9W	BEAVERHEAD
11			NWNWSE	25	5S	9W	BEAVERHEAD
12			SWSESE	26	5S	9W	BEAVERHEAD
13			SESESW	27	5S	9W	BEAVERHEAD
14			SWSESW	27	5S	9W	BEAVERHEAD
15			NESENE	35	5S	9W	BEAVERHEAD
16			NENWNW	35	5S	9W	BEAVERHEAD
17			NWNWSE	36	5S	9W	BEAVERHEAD
18			NWNWSE	2	6S	9W	BEAVERHEAD

* THE STOCK TANKS ASSOCIATED WITH PLACE OF USE ID NOS. 1 AND 16 ARE SPLIT ON THE SECTION LINE; LIVESTOCK CAN ALSO DRINK FROM SECTION 1, T5S, R8W AND SECTION 26, T5S, R9W, ALL WITHIN BEAVERHEAD COUNTY, RESPECTIVELY.

Geocodes/Valid:	18-0414-02-1-01-01-0000 - Y	18-0501-24-1-01-01-0000 - Y
	18-0501-24-3-01-01-0000 - Y	18-0501-25-1-01-01-0000 - Y
	18-0501-26-1-01-01-0000 - Y	18-0501-27-2-01-01-0000 - Y
	18-0501-35-1-01-01-0000 - Y	18-0501-36-1-01-01-0000 - Y
	18-0502-12-1-01-01-0000 - Y	18-0502-14-3-01-01-0000 - Y
	18-0502-17-3-01-01-0000 - Y	18-0502-19-1-01-01-0000 - Y
	18-0502-20-1-01-01-0000 - Y	18-0502-22-1-01-01-0000 - Y
	18-0502-28-3-01-01-0000 - Y	18-0502-29-1-01-01-0000 - Y
	ADD 18-0501-23-1-01-01-0000	

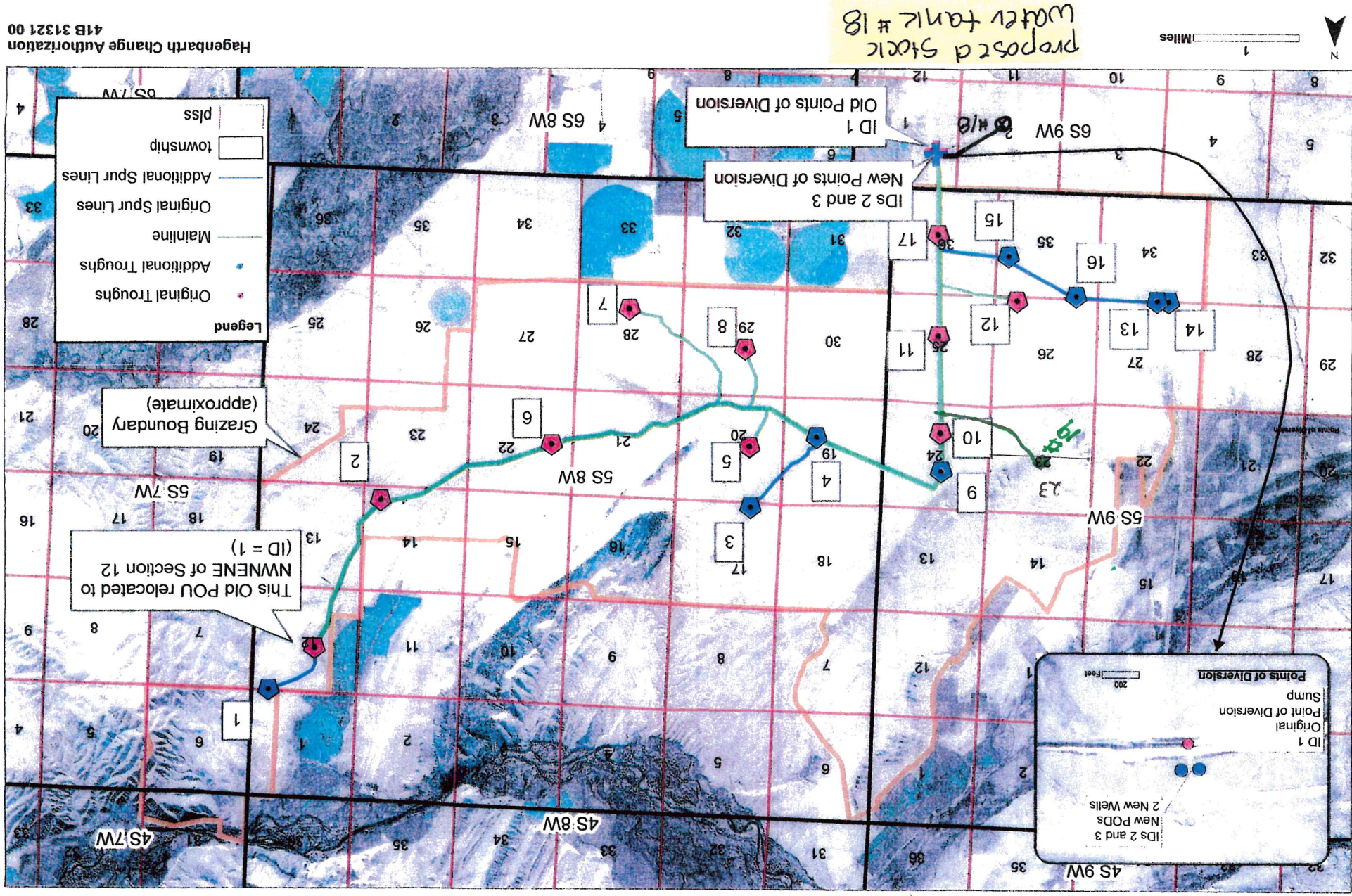
Remarks:

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 26243 RECEIVED 09/12/2005.
OWNERSHIP UPDATE TYPE 641 # 110497 RECEIVED 06/04/2013.
OWNERSHIP UPDATE TYPE DOR # 151629 RECEIVED 01/09/2017.
OWNERSHIP UPDATE TYPE 608 # 280266 RECEIVED 10/27/2025.

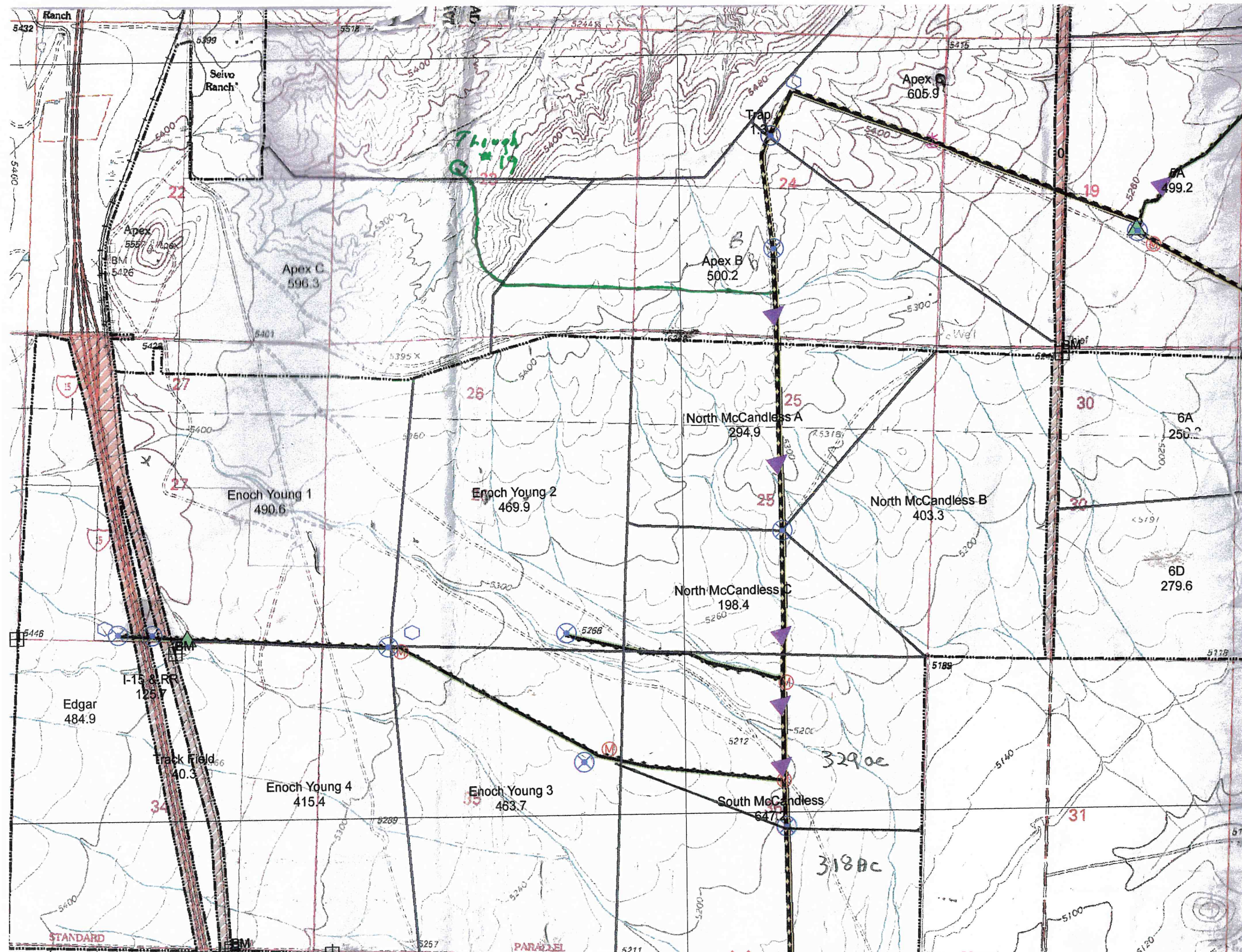
*ADD: PLACE OF USE

ID	QTR	SEC	TWP	RNG	COUNTY
19	SE	23	5S	9W	BEAVERHEAD



Hagenbarth Change Authorization
41B 31321 00





THE MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

GOVERNOR GREG GIANFORTE



DNRC DIRECTOR AMANDA KASTER

Helena Regional Office
1424 Ninth Avenue P.O. Box 201601
Helena, MT 59620-1601
406-444-6999

June 23, 2026

James F. Hagenbarth
PO BOX 1128
Dillon, MT 59725-1128

Subject : Authorization of Notice of Change in Appropriation Right for Stock Tanks # 41B 30175654

Dear James F. Hagenbarth

The Department of Natural Resources and Conservation (Department) has authorized your Notice of Change in Appropriation Right for Stock Tanks. The Change Authorization is enclosed with this letter.

This Change Authorization will be published on the Department's website, notices will be sent to potentially affected appropriators identified by the Department, and the Change Authorization will be published once in a newspaper of general circulation in the area of the source. If a valid objection is received within 45 days of the date of publication, the Department will notify you that your application has been forwarded to the DNRC Office of Administrative Hearings for a contested case hearing per 85-2-309, MCA.

If the Department determines after a contested case hearing that the rights of other appropriators have been or will be adversely affected or that the change in appropriation right does not satisfy the criteria set forth in 85-2-429(5), MCA, the Department may revoke or make the change subject to terms, conditions, restrictions, or limitations to protect the rights of other appropriators.



DNRC.MT.GOV

The Department will notify you only if valid objections have been received.

If you have any questions please contact our office at (406) 444-6999.

Sincerely,

Savannah Telander

Water Resources Specialist

406-444-6810

Savannah.Telander@mt.gov



DILLON LAW PC

Patti L. Rowland, Attorney at Law
220 South Pacific Street • P.O. Box 1418 • Dillon, MT 59725-1418
prowland@dillon-law.com • (406) 683-8795

June 10, 2026

DNRC Water Resources
1424 9th Ave.
Helena, MT 59620-1601

Re: Notices of Change in Appropriation Right for Stock Tanks

Dear DNRC:

Please find enclosed for filing on behalf of David J. and James F. Hagenbarth a Notice of Change in Appropriation Right for Stock Tanks. Also enclosed is a check for \$400 for the filing fee as well as a copy of the first page of each to conform with DNRC receipt information. Once filled out, please return the conformed copies with the enclosed envelope.

If you have any questions, please contact attorney Patti L. Rowland by phone at (406) 683-8795 or by email at prowland@dillon-law.com.

Thank you,



Stacey L Terrill
Legal Assistant

PLR/slt

RECEIVED
JUN 15 2026
D.N.R.C.

