

40E MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM

DECREE INDEX INSTRUCTIONS

The attached index is designed to help a person research and find water rights included in the decree. The decree consists of a computer-printed abstract for each individual water right decreed in the basin. Depending on the number of water rights within a basin, the decree may be in one or more volumes. Each volume is organized numerically by a water right identification (ID) number.

Whenever a water right is referred to or discussed, use the entire water right ID number. This is the best way to be sure that everyone is communicating about the same water right.

Example of ID number: 40E 615

40E Code for drainage basin.
615 Specific identification number assigned to each water right by
Department of Natural Resources and Conservation (DNRC)

There are six sections to the index. Each section is organized in a different manner, as outlined below.

1. SOURCE NAME INDEX

This index lists all water rights alphabetically by the source name (source at point of diversion). If the point of diversion of a water right is not on the "main stem" of the source listed, a two letter tributary code will be shown immediately to the left of the source name. For example, UT MISSOURI RIVER means the water right is diverted from an Unnamed Tributary to MISSOURI RIVER. Additional tributary codes are: SP (spring), WS (waste and seepage), SI (subirrigation), NP (natural pit), MP (manmade pit).

Some sources have more than one commonly used name but only one has been selected as the standardized name. Standardization was based on names designated by the United States Geological Survey, Water Resources Survey, or that in most common local usage. It is recommended that all known names be checked. Also keep in mind that some source names (Spring Creek, Deer Creek, etc..) might identify more than one stream in a basin.

Water rights with the same source name are listed chronologically by enforceable priority date. This secondary Sort is useful in identifying the seniority of water rights on a specific source. 'B' designated late claims are sorted last within a source listing.

2. OWNER NAME INDEX:

This index organizes all water rights alphabetically by all owner names. If you want to locate John Q. Public's water rights, look under "P" for Public. If a partnership or corporation is involved, such as Big Sky Angus Ranch, look under "B" for Big. Be sure to look for all likely owner names (ranch name, estate name, etc.) when you use this index as some owners filed rights both under a corporate name and individually.

3. POINT OF DIVERSION INDEX:

In this index, every point of diversion for each water right in the basin is listed by legal land description. The land descriptions are listed from lowest numbered township and range to highest numbered township and range. Within each township and range the sections are listed numerically.

Water rights with the same point of diversion are listed chronologically by priority date. This secondary sort is useful in identifying the seniority of water rights diverted at a particular location.

4. ENFORCEABLE PRIORITY DATE INDEX:

All water rights within the drainage are listed from earliest to latest enforceable priority date according to MM/DD/YYYY. Where no priority date has been decreed, the index shows no date in the Priority Date column. Check the individual decree abstract for an explanation. 'B' designated late claims are sorted last within the priority date listing.

Water rights with the same priority date are organized alphabetically by source name. For example, all 06/01/1905, water rights from MISSOURI RIVER, BETWEEN MUSSELSHELL RIVER AND FORT PECK DAM would be together.

5. WATER RIGHT ID INDEX:

Every water right has been assigned an identification number, for example, 40J 873. This index organizes all water right ID numbers in numerical order from lowest to highest.

6. ISSUE REMARKS INDEX:

This index is a list of the remarks used by the Water Court to identify certain problems or issues in the decree. The Water Court used these remarks when there was insufficient information to resolve a problem or potential problem.

This index is arranged numerically by water right ID number. For each right listed the use, flow rate, priority date, source name, and owners are given along with the text of the issue remarks.

SUMMARY:

If you have questions about how to look up water right information in these indexes or how to read the decree abstracts, please contact the DNRC Water Resources Regional Office listed in the Notice of Entry for the decree of this basin.

If you have questions about the correctness of any information in a particular water right, contact the Water Court and perhaps file an objection. How to file an objection is outlined in the Notice of Entry for the decree in each basin.

WATER RIGHT ID	VERSION STATUS	LATE CLAIM	HISTORICAL TYPE	USE	FLOW RATE	ENFORCEABLE PRIORITY DATE	POINT OF DIVERSION					TRIB	SOURCE NAME	OWNER NAME
							QTR	SEC	SEC	TWP	RGE			
40E	30142933	ACTV	USE	ST		07/11/1935	SESE	21	24N	38E	VA		MIDDLE EIGHTH COULEE	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
40E	165050	ACTV	USE	ST		12/31/1946	NWNE	20	24N	38E	VA	UT	MIDDLE EIGHTH COULEE	WITTMAYER GRAZING ASSN
40E	165051	ACTV	USE	ST		12/31/1946	NWSESW	20	24N	38E	VA	UT	MIDDLE EIGHTH COULEE	WITTMAYER GRAZING ASSN
40E	165052	ACTV	USE	ST		12/31/1946	SESENE	19	24N	38E	VA	UT	MIDDLE EIGHTH COULEE	WITTMAYER GRAZING ASSN
40E	165057	ACTV	USE	ST		12/31/1946	NESESW	21	24N	38E	VA	UT	MIDDLE EIGHTH COULEE	WITTMAYER GRAZING ASSN
40E	165034	ACTV	USE	ST		12/31/1958	S2NWSW	15	24N	38E	VA	UT	MIDDLE EIGHTH COULEE	WITTMAYER GRAZING ASSN
40E	165033	ACTV	USE	ST		12/31/1959	NWSWSE	16	24N	38E	VA	UT	MIDDLE EIGHTH COULEE	WITTMAYER GRAZING ASSN
40E	64517	ACTV	USE	WI		02/28/1962	NESESE	17	24N	38E	VA	UT	MIDDLE EIGHTH COULEE	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
40E	64518	ACTV	USE	ST		02/28/1962	NESESE	17	24N	38E	VA	UT	MIDDLE EIGHTH COULEE	USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
40E	183048	DISS		ST								UT	MIDDLE EIGHTH COULEE	USA (DEPT OF INTERIOR FISH & WILDLIFE SERVICE)
40E	189328	DISS		ST								UT	MIDDLE EIGHTH COULEE	USA (DEPT OF INTERIOR FISH & WILDLIFE SERVICE)
40E	165671	ACTV	USE	ST		12/31/1912	N2NE	16	26N	42E	MC	UT	MILK RIVER COULEE	MONTANA, STATE BOARD OF LAND COMMISSIONERS
40E	43014	ACTV	USE	ST		10/01/1947	NENWNE	16	26N	42E	MC	UT	MILK RIVER COULEE	MONTANA, STATE BOARD OF LAND COMMISSIONERS
40E	163091	ACTV	USE	ST		12/31/1947	NWSESW	9	26N	42E	MC	UT	MILK RIVER COULEE	MORTENSON, DUSTIN
40E	165662	ACTV	USE	ST		12/31/1969	SWSWNE	8	26N	42E	MC	UT	MILK RIVER COULEE	MORTENSON, JAYDEE MORTENSON, DUSTIN NICKELS FAMILY REVOCABLE LIVING TRUST
40E	182984	DISS		ST								UT	MILK RIVER COULEE	MORTENSON, JAYDEE USA (DEPT OF INTERIOR FISH & WILDLIFE SERVICE)
40E	182897	ACTV	USE	MC	2.07 CFS	11/23/1934		15	26N	41E	MC		MISSOURI RIVER	FORT PECK, CITY OF
40E	38476	ACTV	USE	DM	10.00 GPM	08/31/1968	NWSWNW	25	26N	40E	VA		MISSOURI RIVER	KAERCHER, MARY
40E	38974	DISS		ST									MISSOURI RIVER	USA (DEPT OF INTERIOR FISH & WILDLIFE SERVICE)
40E	40962	WDRN		ST									MISSOURI RIVER	USA (DEPT OF INTERIOR BUREAU OF RECLAMATION)
40E	46758	DISS		ST									MISSOURI RIVER	USA (DEPT OF INTERIOR FISH & WILDLIFE SERVICE)

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NOTE: This is a sample of the Source Name Index. The other indexes have the same seven (7) columns except for the Issue Remarks Index.

Column *WATER RIGHT ID*: This is the water right identification number. This number is necessary to look up a water right abstract in the decree. The best way to request information from either the Water Court or the DNRC for a particular Water right is to use this entire number.

Column *USE*: This two-letter code designates what the water is used for in this water right. The most common codes are ST for stockwater, DM for domestic, and IR for irrigation. A list of all use codes is on page 4 of these instructions.

Column *FLOW RATE*: This number designates the flow rate for this water right. The letter "CFS" after the number means the flow rate is measured in cubic feet per second. A letter "GPM" means gallons per minute. A blank means the Water Court did not quantify a flow rate for this right. Reasons for this can be found in the Findings of Fact and Conclusions of Law for the decree.

Column *ENFORCEABLE PRIORITY DATE*: This is the enforceable priority date for this water right written MM/DD/YYYY. A missing priority date is explained on the abstract for that right.

Column *POINT OF DIVERSION*: This column gives the point of diversion for this water right. All indexes except the Point of Diversion and Source Index list only one point of diversion for each right regardless of the number of diversions claimed. The legal land description is in the format: Quarter Section-Section-Township-Range-County. Counties are listed as two-letter codes. A list of county codes is on page 5 of these instructions.

Column *SOURCE NAME*: This is the name of the source of water for the right. A blank space usually indicates a problem with identifying the claimed source. Some names have a two letter code to the left of the source name. This indicates the diversion is on a tributary of the named source listed. These tributary codes are: (UT) Unnamed Tributary, (SP) Spring, (WS) Waste and Seepage, (SI) Subirrigation, (MP) Manmade Pit, and (NP) Natural Pit.

Column *OWNER NAME*: This is the owner or owners of this water right. All owners of each right are listed.

USE CODES

AS	agricultural spraying	MD	multiple domestic
CM	commercial	MN	mining
DM	domestic	NV	navigation
DW	dewatering	OF	oil well flooding
EC	erosion control	OT	observation & testing of groundwater aquifer
FC	flood control	PA	pollution abatement
FP	fire protection	PG	power generation
FR	fish raceways	RC	recreation
FW	fish and wildlife	SC	sediment control
GE	geothermal heating	SG	storage
IN	industrial	SL	sale
IR	irrigation	ST	stockwater
IS	institutional	WF	waterfowl
LG	lawn and garden	WI	wildlife
MC	municipal	XO	unknown

COUNTY CODES

BE	Beaverhead	MC	McCone
BH	Big Horn	ME	Meagher
BL	Blaine	MI	Mineral
BR	Broadwater	MS	Missoula
CA	Carbon	MU	Musselshell
CH	Chouteau	PA	Park
CR	Carter	PE	Petroleum
CS	Cascade	PH	Phillips
CU	Custer	PI	Prairie
DA	Daniels	PO	Pondera
DL	Deer Lodge	PR	Powder River
DW	Dawson	PW	Powell
FA	Fallon	RA	Ravalli
FE	Fergus	RI	Richland
FL	Flathead	RO	Roosevelt
GA	Gallatin	RS	Rosebud
GF	Garfield	SA	Sanders
GL	Glacier	SB	Silver Bow
GR	Granite	SG	Sweet Grass
GV	Golden Valley	SH	Sheridan
HI	Hill	ST	Stillwater
JB	Judith Basin	TE	Teton
JE	Jefferson	TO	Toole
LA	Lake	TR	Treasure
LC	Lewis and Clark	VA	Valley
LI	Liberty	WH	Wheatland
LN	Lincoln	WI	Wibaux
MA	Madison	YE	Yellowstone
		YP	Yellowstone Park